

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13096 of 2018

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Chandra Sahni son of Jang Bahadur Sahni resident of village - Mahisaut,
Police Station - Kusheshwar Asthan, District - Darbhanga.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The Collector, Darbhanga.
3. The Additional Collector, Darbhanga.
4. The Sub Divisional Officer, Biraul, Darbhanga.
5. The Land Reforms Deputy Collector, Biraul, Darbhanga.
6. The Senior Deputy Collector, District Record Room, Darbhanga.
7. The Circle Officer, Kusheshwar Asthan, East, Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Adv.
For the Respondent/s : Mr. Sajid Salim Khan - SC25

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 12-11-2024 In the instant petition, the petitioner has prayed for
following relief(s):-

*“For issuance of appropriate writ or
writs, direction or directions commanding the
respondents for an enquiry by any agencies
regarding manipulation in Government
Revenue Records by creating irregular suits i.e.
161/03, 162/03, 103/03, 130/03, 131/03,
132/03, 133/03, 135/03, 137/03, 139/03,
141/03, 539/05 and others and the land settled
to the petitioner for fishing has also been
grabbed by unauthorized persons in collusion
with local authorities causing huge monetary*



loss to the petitioner and or issuance of appropriate writ or writs under the facts and circumstances of the case.”

2. Learned counsel for the petitioner submits that petitioner's land in question, which has been mentioned in para 11 of the writ petition, has been encroached by several unauthorized persons and in that regard petitioner has submitted representation before the Circle Officer, Kusheshwar Asthan and the District Collector, Darbhanga but the said representations have not been decided uptill now.

3. Learned counsel for the State submits that the present writ petition is not maintainable as the petitioner has not been able to show any receipt of the concerned office regarding his representation filed before the District Magistrate, Darbhanga and the Circle Officer, Kusheshwar Asthan. However, if the petitioner files fresh representation, the concerned authority will consider the representation of the petitioner.

4. For seeking writ of mandamus, there must be a demand before the competent authority. At the same time, duty is cast on the concerned authority. The first ingredient of demand before the competent authority is not forthcoming.



4. In the light of aforesaid facts and circumstances of the case, the present writ petition stands disposed of as not maintainable.

5. However, disposal of the writ petition would not be hurdle for the petitioner to represent his grievance before the competent authority. If the petitioner submits his representation before the competent authority within four weeks from the date of receipt of this order, the competent authority is directed to hear the grievance of the petitioner and pass order expeditiously in accordance with law.

(Alok Kumar Pandey, J)

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