

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6326 of 2018

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Hari Yadav @ Harilal Yadav Son of Late Bhattu Yadav, resident of Village-
Khajechak, P.O. P.S.- Haveli Kharagpur, District- Munger.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Collector of the District, Munger.
3. Deputy Collector Land Reform, Munger.
4. Anchal Adhikari, Haveli Khargpur, Munger.
5. Sarad Kumar Singh son of Late Raj Kumar Singhania.
6. Ajay Kumar Singhania
7. Shiva Kumar Singhania Both sons of Late Babulal Singhania, All residents
of Mohalla- Sujaganj, P.S.- Kotwali, District- Bhagalpur at present of 119/E
Cerny Street, 1st Floor, Kolkata-5.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kumar Malendu, Advocate
For the Respondent/s : Mr. Dhurjati Kumar Prasad, GP-14

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 01-08-2024 Heard learned advocate for the petitioner and learned
advocate for the State.

2. The petitioner by invoking the jurisdiction of this
Court has filed the present writ petition for the following
relief(s):-

*“i. For initiating the proceeding u/s 48D
of the Bihar Tenancy Act (in short B.T.
Act) for which petitioner has already
filed an application on 20.09.16 (Anx-5)
on proper format.*



ii. For directing the state respondents especially respondent no.4 to dispose of the application (Anx-5) in accordance with law which is pending before him since long under section 48 D of the B.T. Act, within framed time as the petitioner fulfill all the prescribed criteria u/s 48 C and u/s 48 D of the Act.

iii. For directing the respondents to open to Zamabandi in the name of the petitioner after granting 48 D status of raiyat and accordingly grant rent receipt in their favour according to the provision of the B.T. Act after holding the petitioner as occupancy raiyat as provided under section 48D of the Bihar Tenacny Act.

iv. Directing the respondents to grant/hold the status of raiyat to the petitioner as provided u/s 48 D of the B.T. Act.

v. Any other relief and reliefs which the petitioner may be found entitled to.”

3. Learned advocate for the petitioner submits that despite his application under Section 48D pending before the



concerned Circle Officer, since 20.09.2016, the same has not been disposed of by the respondent authorities till date. Thus, left with no option, approached before this Court. It is also contended that similarly situated person having similar grievance approached before this Court in C.W.J.C. No.6380 of 2018 and the same has been disposed of in following terms:-

“I. The petitioner will file an application under section 48D of the B.T. Act before the Circle Officer, Haveli Kharagpur, Munger (respondent no.4) within a period of two months.

II. On filing of the above application, the Circle Officer, Haveli Kharagpur, Munger (respondent no.4) shall proceed in accordance with law and dispose of the said application of the petitioner at the earliest preferably within a period of four months from the date of its filing.”

4. At this stage, learned advocate for the State submits that the application brought on record by the petitioner does not contain any date nor receipt.

5. Be that as it may, considering the fact in identical matter the learned Co-ordinate Bench of this Court has dispose



off the writ petition with certain direction; Court deems it fit and proper to dispose off the present matter in terms of the similar direction passed in C.W.J.C. No.6380 of 2018.

6. The writ petition stands disposed off.

(Harish Kumar, J)

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