

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6622 of 2018

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Mahendra Pandit Son of Late Roshan Pandit Kulal, resident of Village-
Targachha, Police Station- Katoriya, District- Banka.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary, Forest Department, Government of Bihar, Patna.
3. The Divisional Forest Officer, Banka.
4. The District Magistrate, Banka.
5. The Circle Officer, Katoria, District- Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Arbind Kumar, Adv.
For the Respondent/s : Mr.Gajendra Pd. Yadav- SC17

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL JUDGMENT

Date : 11-11-2024

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

*1. For issuance of writ/writs,
order/orders and direction/directions to the
Respondents authorities in the nature of
Mandamus/Prohibition for not declaring the land as
the forest land of the petitioner of Mauza- Targachha
of Khata No. Khesra No. 1 of Thana No. 517 of Area
27 acres 61 decimal of District- Banka which
belongs to the petitioner upon which, this petitioner
planted the trees and cultivated the land twice a year.*

2. Learned counsel for the petitioner submits that



petitioner got the land in question by way of settlement by the competent revenue authority by way of Parwana in Case No. 57 of 1970. He further submits that petitioner planted mango trees, mahua trees on the said land and said land is in possession of the petitioner since the year 1970.

3. Learned counsel for the State has submitted that petitioner has no grievance in respect of any order passed by any of the authorities, as same is evident from prayer portion of the writ petition and in the light of aforesaid fact, the present writ petition is not maintainable.

4. Be that as it may, for seeking writ of mandamus, there must be a demand before the competent authority. At the same time, duty is cast on the concerned public authority. The first ingredient of demand before the competent authority is not forthcoming.

5. Accordingly, the present writ petition stands disposed of as not maintainable.

6. However, disposal of the writ petition would not be hurdle for the petitioner to represent his grievance before the concerned authority. If petitioner submits his representation before the concerned 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)

shahzad/-

AFR/NAFR	AFR
CAV DATE	N.A.
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