

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10290 of 2018

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1. Om Prakash Singh Son of Late Yogendra Singh
 2. Jay Prakash Singh @ Chhote Babu, Son of Late Yogendra Singh. Both Resident of Village-Badheya, P.S. Meerganj, District-Gopalganj.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Gopalganj.
3. The D.C.L.R., Hathua, Gopalganj.
4. The Circle Officer, Hathua, Gopalganj.
5. The Bihar Bhoodan Yagna Committee, through its Chairman, Kadamkuan, Patna.
6. The Karyalay Mantri, Distirct Bhoodan Yagna Committee, Gopalganj.
7. Ram Bachan Manjhi, Son of Tapeswar Manjhi, Both Resident of Village-Badheya, P.S. Meerganj, District-Gopalganj.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwari
For the Respondent/s : Mr.Sajid Salim Khan- SC 25

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL JUDGMENT

Date : 18-11-2024

In the instant writ petition, petitioners have prayed for
the following relief (s) :-

(I) For directing the State respondents, as to cancel the grant of certificate made in favour of private respondent no.7 in respect of distribution of Bhoodan land, issued on 28.05.1980, by which an area of 4 decimal of Plot No. 707 appertaining to Khata No.230, situated within the village Badheya bearing Thana No. 1036 of residential nature purportedly shown to be Bhoodan Land has been distributed



petitioner.

(II) To quash the letter bearing no. 1444 dated 26.02.1993 issued from the office of the Karyalay Mantri, Bhoodan Yagna Committee, Gopalganj, (Respondent No.6) the D.C.L.R., Hathua, Gopalganj, as to make rent fixation in favour of the private respondent no.7, in respect of the land in question as described above.

(III) To hold that without confirmation of the donation of the land in question by the D.C.L.R., Hathua, Gopalganj provided under the Bhoodan Yagna Act, neither the Bhoodan Yagna Committee, Bihar nor its office bearers are competent to make distribution of the land in question in favor of the private respondent no.7.

(IV) For grant any other relief or reliefs which may deem fit and proper in the facts and circumstances of the case.

2. Learned counsel for the petitioners submitted that the grievance of the petitioners is with regard to cancellation of certificate issued in favour of respondent no. 7 and for quashing of letter no 1444 dated 26.02.1993, issued from the office of the Karyalay Mantri, Bhoodan Yagya Committee, Gopalganj for fixation of rent in favour of respondent no. 7.

3. Learned counsel for the State submits that from



perusal of the record it is not clear that petitioner has represented his grievance before any competent authority.

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, and hence the present writ petition is not maintainable.

5. Considering the facts and circumstances of the case and the arguments advanced on behalf of both the parties, the present writ petition is disposed of with liberty to the petitioner to approach the authority concerned for redressal of his grievance, which has been raised by the petitioner in the present writ petition, within a period of four weeks from the date of receipt of a copy of this order. The concerned authority is directed to consider and dispose of the grievance of the petitioner after giving due opportunity, expeditiously, within a reasonable period of time.

(Alok Kumar Pandey, J)

mcverma/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	19.11.2024
Transmission Date	N/A



