

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9795 of 2018

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Upendra Singh Son of late Khush Nandan Singh Resident of Mohalla-
KolhuaPaigamberpur, Mithan Sarai, Near Vivah Bhavan- Cum- Satsang
Bhavan, P.S.-Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The District Magistrate, East Champaran-Second Appellate Authority.
3. The Additional CollectorPublic Grievance Redressal, East Champaran-Cum-
First Appellate Tribunal.
4. The District Public Grievance Redressal Officer, East Champaran.
5. The Sub Divisional Public Grievance Redressal Officer, Chakiya, East
Champaran.
6. The Circle Officer, Mehasi , East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sunil Kumar, Advocate Mr.Sahjanand Sharma, Advocate
For the Respondent/s	:	Mr.Sajid Salim Khan -SC25

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 21-10-2024 In the instant petition, petitioner has prayed for the
following relief(s):-

*1. For issuance of writ in
the nature of writ of certiorari
quashing the order dated 28.11.2017
passed by Sub Divisional Public
Grievance Redressal officer, Chakiya,
District- East Champaran and order
dated 01.02.2018 passed by
Additional Collector (public
Grievance Redressal), East
Champaran -cum- First Appellate
Authority, contained in annexure-
2&3 by which both the authorities
without considering the grievance of*



the petitioner rejected his claim and passed an erroneous order and also quashing the order dated 03.04.2018 passed by District Magistrate, East Champaran- cum- second appellate Authority contained in annexure- 4 who also did not interfere in the order dated 01.02.2018 passed Additional Collector (public Grievance Redressal), East Champaran-cum- First Appellate Authority and closed the proceeding of the case respectively and also issuance of writ of mandamus directing the respondent authorities to get the land of the petitioner measured bearing Khata No.- 64, Khesara (Plot) No.- 456 & 457 area 0.09 dhoor and Khata No.- 31, Khesara No.- 292 area 1 Kattha 10 dhoor situated at village Ghariyarichak under Mehasi Anchal, district of East Champaran. And/or pass such other order/(s), Direction/(s) as your lordships may deem fit and proper.

2. The present writ application is for issuance of writ in the nature of writ of certiorari quashing the order dated 28.11.2017 passed by Sub Divisional Public Grievance Redressal Officer, Chakiya, East Champaran and the same is confirmed by Additional Collector -cum- First Appellate Authority, East Champaran by order dated 01.02.2018 and also confirmed by District Magistrate -cum- Second Appellate Authority, East Champaran by order dated 03.04.2018.



3. Briefly stated facts of the present writ petition is that the petitioner has simply filed the petition for redressal of grievance regarding measurement of the Khata No.- 64, Khesara (Plot) No.- 456 and 457 area 0.09 dhoor and Khata No.- 31, Khesara No.- 292 area 1 Kattha 10 dhoor situated at village Ghariyarichak under Mehasi Anchal, East Champaran.

4. Learned counsel for the petitioner submits that petitioner has specific grievance regarding the measurement of aforementioned land for which he has already deposited money in the office of Circle Officer, East Champaran, Motihari after getting direction from him. He further submits that petitioner has approached the Sub Divisional Public Grievance Redressal Officer, Chakiya, East Champaran, Additional Collector -cum First Appellate Authority, East Champaran and District Magistrate -cum- Second Appellate Authority, East Champaran but they have not made specific direction towards the office of concerned authority rather they have given vague direction to approach the Civil Court / Competent Court which is not suited for the summary procedure like measurement of land.

5. Learned counsel for the State submits that petitioner has grievance regarding measurement of land in question. It is a trivial nature and it can be redressed through



summary procedure.

6. From the perusal of order sheet dated 28.11.2017, 01.02.2018 and 03.04.2018, it is found that none of the authority has applied his mind regarding the redressal of the grievance of the petitioner rather they have twisted the grievance of the petitioner that petitioner has to approach the Civil Court/Competent Court.

7. In the light of the aforesaid facts and circumstances of the case, petitioner's counsel has clearly submitted that petitioner has filed application for measurement before the Circle Officer, East Champaran, Motihari and the Circle Officer, East Champaran has made order to deposit Rs. 500/- which was already deposited on 19.01.2012.

8. In the light of the aforesaid facts and circumstances of the present writ petition, petitioner has made out a case to redress his grievance. The concerned authority is directed to take appropriate step to redress petitioner's grievance expeditiously, if the same is not redressed keeping in view the summary procedure of the present case as well as after hearing the party.

9. Accordingly, order dated 28.11.2017 passed by Sub Divisional Public Grievance Redressal Officer, Chakiya, East



Champaran, order dated 01.02.2018 passed by Additional Collector -cum- First Appellate Authority, East Champaran and order dated 03.04.2018 passed by District Magistrate -cum- Second Appellate Authority, East Champaran are hereby set aside.

10. With the above observation, the present writ petition stands allowed.

(Alok Kumar Pandey, J)

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