

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18532 of 2014

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Pragas Paswan Son of Gobardhan Paswan R/O Vill-Pipra Bangla,P.S-Arwal,Distt.-Arwal,presently Secretary of Bhumi Bachaw Samittee of Pipra Bangla village.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Commisioner,Magadh Division,Gaya at Gaya
3. The District Officer,Arwal,Distt.-Arwal
4. The Deputy Collector,Land ReformsD.C.L..R.,Arwal
5. Additional Collector,Arwal
6. The Circle Officer,Arwal

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Din Bandhu Singh, Advocate
		Mr. Santosh Kumar, Advocate
For the Respondent/s	:	Mr. Rakesh Prabhat, AC to SC 21,

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

8 13-02-2024 Heard the parties.

2. The present writ petition has been filed for the
following reliefs:

*(i) for issuance of a writ in nature
of mandamus any other appropriate writ,
order or direction commanding settlement
respondents to land situated make in of
village Pipra Bangan, thana No. 93 Khata
no. 316, Khesra No. 4/1098 having area
about 164 Acre to the extent of 1.70 Acres in
favour of petitioner and to the similar
situated persons to whom the state has made
temporary settlement since 1994 to the*



petitioner and similar situated persons and taking rent from them and issuing rent receipt or for other relief or reliefs which petitioner deem fit to be fit and entitled;

(ii) the petitioner has not filed any writ petition or petition in this Hon'ble High court for relief sought in petition. Para-1 of this writ petition.

3. Although the State Government did settlement with other persons, he despite being in scheduled caste category, his case was not considered for long and in that backdrop, on earlier occasion, a bench of this Court on 29.08.2023 directed the Collector, Arwal to pass an appropriate order in the light of the latest settlement policy, 2013.

4. He submits that thereafter, the Circle Officer, Arwal vide letter no. 1295 dated 27.10.2023 submitted its report to the Collector, Arwal who was duty bound to issue notice to the petitioner but on 30.10.2023 itself, an order came to be passed rejecting his claim. As such, the same is fit to be dismissed.

5. Learned State counsel on the said contention of learned counsel for the petitioner has drawn the attention of this Court to the fact that earlier the Circle office, Arwal had issued noticed vide letter no. 3 dated 12.09.2023 to the petitioner whereafter he appeared and submitted his claim. The report was



forwarded to the Collector, Arwal and only thereafter an order passed. As such, the claim of the petitioner that he has not been noticed is baseless.

6. Having heard both the parties, this Court is satisfied with the reasoned order passed by the Collector, Arwal in which it has been observed that in view of the fact that the aforesaid land has been surrendered by the Divisional Commissioner, Revenue and Land Reforms Department for the creation of Land Bank, the same cannot be settled with the petitioner. No other point has been raised by the petitioner and in that backdrop, an order having passed on the report submitted by the Circle Officer, Arwal, no relief can be granted.

7. At this Stage, learned counsel for the petitioner submits that he may be permitted to pursue alternate remedy before the appropriate authorities. It goes without saying that the petitioner always has that liberty in the Welfare State.

8. The writ petition stands disposed of.

(Rajiv Roy, J)

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