

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.177 of 2021

In
Civil Writ Jurisdiction Case No.3834 of 2020

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Arun Singh Son of Sukhdev Singh Resident of Village- North Ladms,
Alamnagar, Ward No. 8, P.S.- Alam Nagar, District- Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar.
2. Sri Vivek Kumar Singh, Principal Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Patna.
3. Alok Ranjan Ghosh, Collector, District- Khagaria.
4. Shatrunjay Kumar Singh, Additional Collector, District- Khagaria.
5. Sanjay Kumar, Deputy Collector, Land Reforms, Gogri, District- Khagaria.
6. Kumar Ravindra Nath, Circle Officer, Gogri, Khagaria.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bidhanesh Misra, Advocate
Ms. Taniya Kumari Mishra, Advocate
For the Opposite Party/s : Mr. AC to SC-19

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 03-04-2024 Heard learned counsel for the petitioner and the

State.

2. The present petition has been preferred for compliance of order dated 19.02.2020 passed in CWJC No. 3834 of 2020 by which the Circle Officer, Gogri was directed to pass an order on the representation of the petitioner in accordance with law.

3. Learned AC to SC-19 submits that he do not have file with him and as such, is unable to assist the Court.

4. A show cause on behalf of opposite party no. 6, the



Circle Officer, Gogri is on record and paragraph 6 read as follows:

“6. That, in the light of the direction passed by this Hon'ble Court as soon as the order passed by this Hon'ble High Court was received by the Circle Officer, Gogri and a Miscellaneous Case No.01/20-21 was initiated and report was called for from the Revenue Karmachari. From the perusal of the Revenue Karmachari report it transpires that "आवेदक के वंशज ललित गोदी के नाम से जमाबंदी नं०-196 दोबारा खोलकर रकवा 21 बीघा 11 कट्टठा 12 धुर दर्ज है जो प्रथम दृष्टिया देखने से ही संदेहास्पद प्रतीत होता है । तत्कालीन राजसव कर्मचारी श्री फुलेन्द्र प्रसाद सिंह के फर्जी हस्ताक्षरयुक्त रसीद के आधार आवेदन अपनी दावेदारी पेश करते हैं । आवेदक द्वारा संलग्न रसीद सं० 206612, 206610, 206614 दिनांक 31/03/20214 का भंडार पंजी से मिलान किया । हल्का नं०-6 में यह रसीद सं० जारी ही नहीं किया गया । तत्कालीन कर्मचारी के द्वारा आवेदक आवेदन पत्र के साथ संलग्न L. P.C. क्रमांक-1316, 1314, संदेहास्पद है 135 दिनांक 27/06/2014 भी आवेदक द्वारा दिये गये रकवा 138-12-00 पर दावा किया जाता है जबकि स्थलन पर आवेदक का वर्षों से कोई दखल नहीं है । अतः संलग्न लगान रसीद की छाया प्रति की पंजी II की जाँच से स्पष्ट है कि आवेदक के द्वारा



फर्जी रसीद उपस्थापित कर अपनी दावेदारी करते हैं जिसको सत्यापित नहीं की जा सकती है। स्थल पर अन्य रैयतों का दखल है। रसीद निर्गत होने से किसी भसी अप्रिय घटना होने से इन्कार नहीं किया जा सकता है।" *Meaning thereby the claim of the petitioner is not maintainable as per report dated 07.04.2020 submitted by the Revenue Karmachari*".

5. In paragraph 7, he has further claimed that the petitioner has not appeared to explain his claim and as such, he has been noticed.

6. As the office of SC-19 do not have a copy of petition and/or the show cause, naturally, no updated supplementary show cause is on record whether any order has been passed by the Circle Officer, Gogri or not.

7. In that view of the matter and since no assistance is expected from the office of SC-19, it would be appropriate that the Circle Officer, Gogri is directed to dispose of the representation of the petitioner within four weeks from today, if not disposed of and a report to this effect shall be sent in a sealed cover to this Court directly.

8. It is made clear that failure to do so, the contempt application shall be revived.

9. The MJC No. 177 of 2021 stands disposed of with



the aforesaid observation.

10. List this case under the heading ‘To be Mentioned’
after eight weeks to peruse the report submitted by the Circle
Officer, Gogri.

(Rajiv Roy, J)

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