

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12336 of 2024

=====

Krishna Kumar Singh Son of Late Ramdev Singh Resident of village-
Dumduma, P.S.- Daudpur, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land Reforms Department, Patna.
2. The District Magistrate, Siwan.
3. The Deputy Collector Land Reforms, Siwan.
4. The Deputy Collector Land Reforms, Maharajganj.
5. The Circle Officer, Daraunda.
6. Janak Singh Son of Resident of village- Dhanauti, P.S.- Daraunda, District- Siwan.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Anshul, Advocate
For the Respondent/s : Mr. Prem Ranjan Kumar, AAG-9

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 20-08-2024 Heard Mr. Anshul, learned Advocate for the petitioner
and Mr. Prem Ranjan Kumar, learned Advocate for the State.

2. At the outset, learned Advocate for the petitioner
submits that he has been apprised that respondent No.6 is no
more alive and as such he seeks permission to delete the name
of respondent No.6.

3. The permission is accorded.

4. The same must be done in course of the day.

5. The petitioner is an ex-army serviceman invoked
the extraordinary jurisdiction of this Court under Article 226 of
the Constitution of India seeking a direction upon the



respondent authorities to settle the land appertaining to Plot No. 513, Survey No.144 situated in Village-Harsar Dhanautiat ad-measuring 08 Katthas 12 Dhur.

6. Referring to the short facts as narrated in the writ petition, learned Advocate for the petitioner contended that on account of the petitioner being ex-army man, a piece of land appertaining to Plot No.513, Survey No.144 ad-measuring 08 Katthas 12 Dhur situated in Village-Harsar Dhanautiat falling within Daraunda Anchal of Siwan District was settled vide Land Settlement Record No.3/75-76 by the concerned authorities long back ago. The part land of the aforementioned plot was in actual physical possession of his cousin, who agreed to give the land to the petitioner and pursuant to which the petitioner filed a petition before the District Magistrate, Siwan for settlement of the part land. On receipt of the application the learned DCLR, Siwan directed the Circle Officer, Daraunda to take necessary action upon the request of the petitioner for settlement of the land. The Circle Officer issued general notice inviting objection with respect to the settlement of the land in question in favour of the petitioner. The photocopy of the notice has been placed on record as Annexure-P/3. In response to the general notice the respondent No.6 ensured his presence before respondent No.5



and submitted a written letter showing his willingness to settle the aforesaid land in favour of the petitioner.

7. Learned Advocate for the petitioner further contended that there had never been any objection on behalf of any of the persons. On receipt of no objection, the Circle Officer vide its Letter No.934 dated 01.06.1988 made a recommendation for settlement of the land in favour of the petitioner. On the basis of the recommendation a Settlement Case No.05/1987-88 was registered for settlement of the land, however, since the date of registration and initiation of proceeding, the petitioner is running before the Office of the DCLR but to the best of his knowledge the proceeding has not been brought to an end. The petitioner also sought information under the right to information act but sometime it has been informed that the record has been transferred to the Circle Officer, Daraunda and sometime no information has been given. The petitioner at this juncture also submitted that despite his best effort when the present position of the Settlement Case could not be ascertain he filed a detailed representation on 02.02.2024 before the District Magistrate, Siwan the copy of which has been brought on record vide Annexure-5 of the writ petition.



8. At this juncture, learned Government Advocate for the State contended that the settlement proceeding was initiated way back in the year 1987-88 and the petitioner has approached this Court after 35 years.

9. Having considered the submissions advanced on behalf of the respective parties and taking note of the fact that pursuant to the recommendation made by the Circle Officer, Daraunda, a Settlement Case No.5/1987-88 was initiated and thus in any view of the matter it must be brought to its logical conclusion.

10. In the entirety of the facts and the averment made in the writ petition which suggest that the Settlement Case No. 05/1987-88 is still pending, the writ petition stands disposed off with a direction to the District Magistrate, Siwan to look into the matter and direct to the concerned authorities to conclude the Settlement Case No.5 of 1987-88 preferably within a period of three months from the date of receipt/production of a copy of this order.

(Harish Kumar, J)

durgesh/-

U			
---	--	--	--

