

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 13490 of 2024

Sahdev Ram Son of Bhuttu Ram, Resident of village- Jhagarua, P.S.-
Jamalpur, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Revenue and Land Reforms Bihar, Patna.
2. The Collector Darbhanga.
3. The Additional Collector Darbhanga.
4. The S.D.O. Biraul, Darbhanga.
5. The L.R.D.C. Biraul, Darbhanga.
6. The C.O. Ghanshyampur, Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Girish Chandra Jha, Advocate
For the Respondent/s	:	Ms. Vijaya Laxmi Srivastava, AC to SC-23

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 10-09-2024

Heard Mr. Girish Chandra Jha, learned Advocate
for the petitioner and Ms. Vijaya Laxmi Srivastava, learned
Advocate for the State.

2. The petitioner by invoking the extraordinary
jurisdiction of this Court under Article 226 of the Constitution of
India seeking a direction upon concerned respondents to issue
appropriate resolution with regard to settlement of the land in
favour of the petitioner, who had already been put in possession
in presence of respondent Nos. 4 to 6 but due to inaction of
respondent No.6 the said land could not be settled as yet.

3. Learned Advocate for the petitioner adverting to



the averments made in the writ petition contended that the petitioner while working in Indian Navy has filed an application way back in the year 1996 before the respondent No.5 for settlement of land. In view thereof, land settlement Case No.3/1996-97 was initiated for settlement of the land situated at Mauza-Jhagarua, Khata No.425, Khesra No.2562 & 2563, Area 2.00 & 0.50 decimal, Total 2.50 decimal and sent the record before the respondent No.6 for necessary order.

4. Having received the record, respondent No.6 has issued general notice inviting objection with regard to the settlement of the land. It is also contended that the Mukhiya of Gram Panchayat, Jhagarua has also issued no objection certificate for settlement of the land in favour of the petitioner. Thereafter the matter was again referred to the respondent No.5, who taking note of the entire gamut of the facts recommended for settlement of the said land in favour of the petitioner. It is the specific contention of the petitioner that he was put in possession of the land in question in presence of respondent Nos.3, 4 and 5 way back in the year 1997 itself and since then he has been coming in peaceful possession over the land, but till date order of settlement could not be passed. Awaiting favourable order, delay has occurred in approaching this Court.



5. At this juncture learned Advocate for the petitioner submits that since the matter is of 1998 and more than two decades have been lapsed and on this reason alone the writ petition is fit to be dismissed.

6. Having considered the submissions advanced on behalf of respective parties and taking note of the fact that the petitioner was put in possession of the land, in question, way back in the year 1997 itself and he has been enjoying the peaceful possession since then, however, till date, the land settlement Case No.3 of 1996-97 has not been brought to its logical end, this Court deems it fit and proper to direct the respondent No.5 to consider the claim of the petitioner and dispose of the Land Settlement Case No. 3 of 1996-97, if not done till date, preferably within a period of Six months from the date of receipt/production of a copy of this order after giving opportunity of hearing to all the stakeholders, if need be.

7. The writ petition stands disposed off.

(Harish Kumar, J)

durgesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	12.09.2024
Transmission Date	NA

