

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14033 of 2024

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Ansar Miyan Son of Kalman Mian Resident of Village,P.O. and P.S.- Garkha,
District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector-cum-District Magistrate, Saran at Chapra.
2. The Additional Collector, Saran at Chapra.
3. The Sub-Divisional Officer, Sadar, Chapra.
4. The Deputy Collector, Land Reforms, Sadar Chapra.
5. The Circle Officer, Garkha, District- Saran.
6. Tarkeshwar Singh Son of Rajendra Prasad Resident of Village, P.O. and P.S.- Garkha, District- Saran.
7. Surendra Singh Son of Ram Ishwar Singh Resident of Village, P.O. and P.S.- Garkha, District- Saran.
8. Nagendra Prasad Son of Purushottam Singh Resident of Village, P.O. and P.S.- Garkha, District- Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Thakur, Advocate
For the Respondent/s : Mr. Deepak Kumar, AC to GP-4

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL JUDGMENT

Date : 19-09-2024

Heard learned counsel for the petitioner and learned
counsel for the State.

2. Following relief(s) have been prayed for in
paragraph no. 1 of the present writ application.

*“1(i).To issue an appropriate
order/s, direction/s including a writ
preferably in the nature of mandamus
commanding and directing upon the state*



respondents to take steps for delivery of possession of the petitioner over the land measuring an area 2 bigha 2 katha 4 dhur appertaining to Thana No.440, Khata No.32, 46, 214, 463, 189, 32, 46, Khesra No.557, 582, 558, 585, 392, 586, 557 and 561 situated in Mauza- Garkha, P.O. and P.S. Garkha, District- Saran taking into account that the petitioner has been forcibly dispossessed by the private respondents from the abovementioned land.

(ii) To direct the Deputy Collector Land Reforms (Hereinafter referred to as respondent No.4 and competent authority under section 2(a) of the Bihar Land Dispute Resolution Act 2009) to declare the right of the petitioner in connection with abovementioned land interms of section 4 of the said Act.

(iii) To restrain the private respondents from going to the disputed land till the final order passed by the competent



authority under the B.L.D.R. Act 2009.

(iv) To any other relief's to which the petitioner may be found entitled in the facts and circumstances of the case.”

3. At the outset, learned counsel for the petitioner has confined his prayer only to the extent of disposal of representation dated 17.06.2022 (Annexure-P/2 to the present writ application) which is pending consideration before Circle Officer, Garkha, Saran within a time frame.

4. Learned counsel for the State raised no objection to the prayer made by the learned counsel for the petitioner for disposal of representation dated 17.06.2022, however, learned counsel prays that petitioner may be directed to file fresh representation before the concerned Circle Officer stating therein the current facts and circumstances regarding the grievance.

5. Pursuant to the prayer made by learned counsel for the State, learned counsel for the petitioner submits that petitioner is ready to file fresh representation before the concerned Circle Officer.

6. Considering the aforesaid facts and circumstances, petitioner is directed to file fresh representation along with



relevant documents before the concerned Circle Officer within a period of six weeks from today. If any such application is filed, Circle Officer, Garkha, Saran (Respondent No.5 herein), is directed to consider and dispose of the same after perusing the documents filed on behalf of the petitioner and pass reasoned and speaking order in accordance with law within a period of eight weeks from the date of filing of the representation.

7. With the aforesaid observation/direction, the present writ application stands disposed of.

(Rudra Prakash Mishra, J)

Alok Verma/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	21.09.2024
Transmission Date	N/A

