

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22148 of 2013

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Ramu Hembram Son Of Late Ram Shai Hembram Resident Of Sitalpur
Purabdangi, Post Office- Pothia, Police Station- Pothia Paharkatta, District-
Kishanganj

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, Kishanganj
3. The Superintendent Of Police, Kishanganj
4. The Sub-Divisional Officer, Kishanganj
5. The Station House Officer, Police Station Pothia Paharkatta District-
Kishanganj
6. Afzal Hussain Sheikh Son Of Haji Fajlur Rahman Residing At Village-
Kachna, P.S.- Islampur, District- Uttar Dinazpur At Present Village- Sitalpur,
P.S.- Paharkatta Pothia District- Kishanganj Bihar
7. Md. Abu Zafar Son Of Late Md. Ghanimat Hussain Of Supaul Municipality
Ward No.- 20 P.S. And District- Supaul Secretary And A Trustee Of
Rahmani Foundation, Munger District- Munger, Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.T.N. Matin, Sr. Adv. Mr.Dilip Kumar Singh, Adv.
For the Respondent/s	:	Mr.Lalit Kishore, AG

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

6 14-11-2024 1. The present writ petition has been filed seeking the
following relief(s):-

*“1. That this writ application is for a direction to
the respondent authorities to distribute the
Bhoodan and Bihar Government land, situated at
Mauza Sitalpur, Thana No.269, under the Pothia
(Paharkatta) Police Station, District-Kishanganj
among the landless Aadibasi (Tribals) of Sitalpur
Purabdargi and further prayer is to issue writ of*



Certiorari to quash the lease deed no.2003 of 2012 for 999 years and thereafter, direct the authorities to demarcate such lands for distribution.”

2. At the outset, the learned senior counsel for the petitioner has referred to paragraph no.19 of the counter affidavit filed in the present case by the respondents to submit that the present writ petition be disposed off in the said terms.

3. At this juncture, it would be relevant to reproduce paragraph no.19 of the counter affidavit filed in the present case hereinbelow:

“19. That the averment made in para no-06 to 10, 11, 12 and 13 of this petition, it is most humbly and respectfully stated and submitted that the policy of State Government to settle 05 decimals land to each and every landless family by campaign “Baseri” vide letter no.624, dated -04.05.2023 of Department of Revenue and Land Reforms, Bihar, Patna and in the light of abovementioned, the Circle Officer, Pothia has made spot verification, in which it has been found that presently nearly 400 tribals families are landless i.e. they have not been settled with 05 decimals land, however, they are living by way of making houses and accordingly applications are being taken from those families and settlement of land with them will be done in speedy camp



mode.”

4. The learned counsel for the respondent State has got no objection in case the writ petition is disposed off in terms of the stand taken by the respondent State in paragraph no.19 of the counter affidavit, as aforesaid.

5. Having regard to the facts and circumstances of the case, though I deem it fit and proper to dispose off the present writ petition in terms of the stand taken by the respondent State in paragraph no.19 of the counter affidavit filed in the present case, however, with a direction to the respondent State not to displace the petitioner without resorting to the due process of law.

(Mohit Kumar Shah, J)

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