

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14254 of 2023

Janardan Kunwar @ Janardan Singh Son of Prasidh Singh, R/Mohl.-Block-03, Flat-C-2, 263 G.T. Road (South), Shibpur Howrah, Haora (M. Corp) Hawrah, West Bengal, presently R/Vill-Belhari, Gaighat, P.S.-Haldi, District-Ballia, Utter Pradesh.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Patna, Bihar.
2. The Principal Secretary, Urban Development Department, Patna, Bihar.
3. The District Magistrate, Buxar.
4. The Sub-Divisional Magistrate, Dumaron, Buxar.
5. The Circle Officer, Brahmpur, Buxar.
6. The Thana-in-Charge, Nanijor, Buxar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Rajiv Ranjan Kr. Pandey, Adv.
For the Respondent/s : Mr.Sajid Salim Khan (Sc25)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 23-07-2024 The present writ petition has been filed seeking the following reliefs:-

“1(A). That this application is being filed for issuance of a writ in the nature of mandamus Commanding and directing the respondent authority, to Dispose of the case Vide Case No. 153(M)/2004 as early as possible, in which attachment order passed in the proceeding under section145 Cr.P.C., the land bearing Mauza-Gaighat, Thana No. 477, Khata No. 28, Khesra No.1, 2, 3, 5, 11, 12 & 13 total area about 313.60 Acre, situated at vill-Gaighat, P.S-Nainijor,



District-Buxar, upon which on 29.01.2009 the Circle Officer, Brahampur, was appointed as a receiver and under proceeding 146(i) ordered to seized the crops of the land.

(B). Further to direct the respondents, to comply the order in the true sense, passed by Hon'ble High Court Patna, in CWJC No-10536/2008. The Hon'ble Court passed an order on 17.01.2011, and directed the respondent Sub-Divisional Magistrate, Dumrao to dispose of 145 Cr.P.C. proceeding bearing No-153(M)/ of 2004 as early as possible, in any case within three months from, the date of receipt/production of a copy of this order before him.”

2. At the outset, the learned counsel for the petitioner seeks a direction upon the Respondent No. 4 i.e. the Sub-Divisional Magistrate, Brahampur, District-Buxar, to dispose off the pending Case No. 153(M) of 2004, expeditiously.

3. Having regard to the fact that despite lapse of twenty years, the aforesaid proceedings have not stood concluded, I deem it fit and proper to direct the Respondent No. 4 to immediately conclude the proceedings of the aforesaid Case No. 153(M) of 2004, within a period of three months from today, by passing the final order, in accordance with law, failing which he shall not draw his salary.



4. Accordingly, the present writ petition stands disposed off
on the aforesaid terms.

(Mohit Kumar Shah, J)

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