

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16707 of 2024

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Surendra Chamar S/o Late Mus Chamar, resident of Village-Majhiyan, P.S. Karamchai, District-Kaimur at Bhabhua.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate cum Collector, Kaimur at Bhabhua.
2. The District Magistrate cum Collector, Kaimur at Bhabhua.
3. The Sub Divisional Officer, Kaimur at Bhabhua.
4. The District Land Reforms Officer, Kaimur at Bhabhua.
5. The Circle Officer, Rampur, Kaimur at Bhabhua.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vikalp
For the Respondent/s : Mr. Kumar Manish (SC-5)
Mr. Madan Mohan (AC to SC-5)

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL JUDGMENT

Date : 29-10-2024

Learned counsel for the petitioner is permitted to make

necessary correction in para 5 of the petition.

2. In the instant petition, petitioner has prayed for the

following relief (s):-

*(i) For a direction to the concern authority to
pass final order in general settlement case no.
24/2002-03.*

*(ii) For a direction to the concern authority to
provide the land for housing because petitioner
is a landless person.*

*(iii) For a direction to the respondent to save
fundamental right if the petitioner which has
been to provided under article 21 of the*



constitution of India.

3. Learned counsel for the petitioner submits that petitioner is a landless person. Petitioner belongs to Scheduled Caste and settlement proceeding has been initiated in favour of the petitioner. He has submitted that Circle Officer has recommended for settlement of land in question appertaining to Mauza Majhiyawa thana no.845, khata no. 66, khesra no. 506 area 1 acre. He further submits that settlement procedure bearing settlement case no. 24/202-23 have already initiated from 23.02.2002 by C.O, LRDC and SDM.

4. Learned counsel for the State submits that though settlement procedure has been initiated in 2002 but petitioner has belatedly represented before this Court in CWJC No. 16707 of 2024. He further submits that for redressal of grievance regarding the final order passed in general settlement case no. 24/202-23, petitioner has not approached any competent authority.

5. Be that as it may, for seeking writ of mandamus, there must be a demand before the competent authority. At the same time, duty is cast on the concerned public authority. The first ingredient of demand before the competent authority is not forthcoming.

6. Accordingly, the present writ petition stands disposed



of as not maintainable.

7. However, disposal of the writ petition would not be hurdle for the petitioner to represent his grievance before the concerned authority. If petitioner submits his representation before the concerned authority within four weeks from the date of receipt of this order, the competent authority is directed to hear the grievance of the petitioner and pass order expeditiously, in accordance with law.

(Alok Kumar Pandey, J)

vashudha/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.10.2024
Transmission Date	NA

