

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2216 of 2017

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1. Deven Rai @ Devendra Rai Son of Late Prithvi Rai, resident of village - Bharri, P.S. Kadwa, District - Katihar
 2. Mostt. Kunti Devi, Wife of Late Kamla Rai @ Late Kamlu Rai, resident of village - Bharri, P.S. Kadwa, District - Katihar
 3. Dashrath Rai, Son of Late Sirthi Rai, resident of village - Bharri, P.S. Kadwa, District - Katihar

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Collector, Katihar
3. The Additional Collector Land Ceiling , Katihar
4. The Circle officer, Kadwa, Anchal - Kadwa, District - Katihar
5. Nayan Kumari Devi, Wife of Late Bindeshwari Prasad Bhagat,
6. Krishna Mohan Prasad Bhagat @ Krishna Mohan Bhagat, Son of Late Bindeshwari Prasad Bhagat,
7. Hira Lal Bhagat @ Hira Lal Prasad Bhagat, Son of Late Bindeshwari Prasad Bhagat,
8. Shankar Prasad Bhagat @ Sheo Shankar Prasad Bhagat, Son of Late Bindeshwari Prasad Bhagat, All are residents of village - Parveli, P.S. Kadwa, District - Katihar
9. Mukti Prasad Bhagat, Son of Late Saryug Prasad Bhagat, resident of village - Perveli, P.S. Kadwa, District - Katihar

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Amarendar Narayan Mr. Abdul Wadood
For the State	:	Mr. Sajid Salim Khan-SC25

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 18-02-2025 Heard the parties.

2. This writ application is being filed by the petitioner
for the following reliefs:-

(i) To quash the order vide Memo No.393



dated 30.5.2016 issued by the Additional Collector, Katihar by which he has accepted the proposal and cancelled the Jamabandi which were made in favour of the petitioners and other persons contained in Annexure- 6 to this petition.

(ii) To direct the respondents not to disturb the peaceful possession of the petitioners over the land in question.

(iii) To direct the respondents 1st set not to dispossessed the petitioners over the land in question.

(iv) Any other relief or reliefs may be given which will be just, proper and equitable in the opinion of this Hon'ble Court.

3. The petitioners are the settlees/allottees of the land which was declared surplus but subsequently was de-notified, after order of the coordinate Bench passed in CWJC No. 12726 of 2013 vide order dated 15.09.2014.

4. After order of the coordinate Bench, the Collector, Katihar passed an order dated 20.02.2001 denotifying the surplus land which had already been settled to the petitioners and other persons, but while passing the order dated 20.02.2001, the Collector, Katihar has specifically directed that till the alternative arrangement to rehabilitate the petitioners (the red card holders), they should not be destabilized.



5. Despite the specific direction of the Collector, Katihar, no step has been taken for rehabilitation of the petitioners.

6. Learned counsel for the petitioners submits that the only grievance of the petitioners is that despite the specific order/direction of the Collector, Katihar, the alternate arrangement for their rehabilitation has not been made till date.

7. Considering the above-mentioned facts and circumstances, the Collector, Katihar is directed to take appropriate steps for rehabilitation of the petitioners, as per his earlier observation dated 20.02.2001 passed in Miscellaneous Ceiling Case No. 615 of 1997 for which the petitioners shall make application before the Collector within a period of three weeks and the same shall be decided within a period of six months from the date of filing thereof in accordance of law.

8. With these observation/direction, the writ petition stands disposed of.

(Nawneet Kumar Pandey, J)

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