

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12288 of 2017

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Sitawar Sharan Jaipuriyar S/o Late Satya Deo Prasad, Resident of Village-
Jitwarpur Nizamat, P.s. Samastipur Muffasil, Distict-Samastipur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Secretary, Land Reforms Department, Bihar, Patna.
3. The District Magistrate, Samastipur.
4. The Circle Officer, Samastipur.
5. The D.C.L.R., Samastipur.
6. The C.O. Samastipur.
7. Bhaban Singh, Son of Late Radhe Mahto, Resident of Village-Asinpur, P.S. Samastipur Muffassil, District-Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dilip Kumar Roy, Advocate
	:	Ms. Rekha Ranjan Prasad, Advocate
For the Respondent/s	:	Mr. Rishi Raj Sinha, SC-19

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-04-2025 Heard Ms. Rekha Ranjan Prasad, learned counsel for

the petitioner and learned State counsel representing the State.

2. The present petition has been preferred for the
grant of following relief(s):

*“for a direction/direction, order/orders,
writ/writs commanding respondent authorities to
hand over the possession of Khata No. 56,
Khesra No. 5202523 Area 1 Acre 42 Dec. of the
Mauza Asinpur Panchayat Dhurlakh, Block
Samastipur duly settled in favour of the*



petitioner vide memo no. 1977 dated 06.10.1976 through settlement Record No. 1.4.1975-76/1976-77 as the petitioner has been an Ex-military man having Army No. 12106728 SPR from the illegal possession of the respondent No. 1 in pursuance to order dated 07.03.2009 passed in T.S.No. 15/07 by the Civil Judge, Junior Division No. 2, Samastipur.”

3. It is ironical that the petitioner, ex-military man is moving from pillar to post despite the order passed by the competent civil court in his favour.

4. The writ petition was filed in the year 2017 after service of copy to the office of the learned Advocate General, Bihar on 21.08.2017 and on the same day, it was handed over to the office of the SC-19 but today on call, there is no counter affidavit.

5. The Court have two options either to impose heavy cost against the State respondents for not filing the counter affidavit for eight long years. In alternative, to direct the petitioner to approach the Collector, Samastipur with his fresh representation.

6. Learned counsel for the petitioner submits that the



petitioner shall be approaching the Collector, Samastipur in next four weeks for redressal of grievance along with all the supportive documents.

7. In case, the said petition is preferred in next four weeks, the Collector, Samastipur is duty bound to take a decision in the matter in next three months. Needless to say that the subsequent steps too must be taken pursuant to the decision taken by the said respondent.

8. The writ petition stands disposed of.

(Rajiv Roy, J)

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