

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3669 of 2023

In
Criminal Writ Jurisdiction Case No.799 of 2021

=====

Hare Krishna Verma S/o Late Rajbali Verma, R/o Village-Sansarpur, P.O. and
P.S.-Bhorey, District-Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through Sri Amir Subhani, son of not known, the Chief Secretary, Govt. of Bihar, Patna.
2. Sri Rakesh Kumar, The Sub Divisional Officer, Hathua, District-Gopalganj.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Suresh Prasad Bhakta

For the Opposite Party/s : Mr. Government Pleader 18

Mr. Navnit Kumar, Advocate , AC to GP 18

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 29-08-2025 1. By order dated 13.07.2023 passed in Cr.W.J.C. No. 799 of 2021 this Court directed the S.D.O., Hathua, District-Gopalganj to decide the application of the petitioner for restoration of possession of the land under Section 14(A)(3) of the Bihar Bhoodan Yagna Act ,1954 (for short “Bhoodan Act”).

2. Learned counsel for the petitioner submits that as per the direction of this Court application for restoration of possession under Section 14(A)(3) of the Bhoodan Act was filed by the petitioner before the S.D.O., Hathua, District- Gopalganj but the S.D.O. in perfunctory manner has initiated proceeding under



Section 144 Cr.P.C. and has not decided the claim of the petitioner under Section 14(A)(3) of the Bhoodan Act.

3. Learned counsel for the State and Mr. Devanand Tiwary, learned counsel appearing for the private respondents claiming the land in question on the basis of grant made in their favour under the Bhoodan Act submit that the petitioner has not been granted any certificate of settlement under the Bhoodan Act and they are in possession of the subject land as such there is no question of displacement / ejection of the petitioner from the land.

4. Learned counsel for the State further submits that the petition filed by the petitioner dated 26.07.2023 shall be decided afresh by the S.D.O., Hathua, District - Gopalganj under Section 14(A)(3) of the Bhoodan Act after giving opportunity of hearing to the private respondents who are also claiming the land in question.

5. Considering the rival submissions of the parties, the S.D.O., Hathua, District - Gopalganj is directed to decide the claim of the petitioner as well as private respondents who were also party in Cr.W.J.C. No. 799 of 2021 afresh within a period of eight weeks after giving opportunity of hearing to all concerned.



6. With the aforesaid observation and direction, this application is disposed of.

(Anil Kumar Sinha, J)

praful/-

U			
---	--	--	--

