
(2020) 01 PAT CK 0221

In the Patna High Court

Case No : Civil Writ Jurisdiction Case No. 813 Of 2020

Amrendra Kumar Singh

APPELLANT

Vs

State Of Bihar And Ors

RESPONDENT

Date of Decision : 14-01-2020

Acts Referred:

Bihar Right To Public Grievance Redressal Act, 2015 — Section 7

Citation : (2020) 01 PAT CK 0221

Hon'ble Judges : Ahsanuddin Amanullah, J

Bench : Single Bench

Advocate : Sumeet Kumar Singh, Sajid Salim Khan

Final Decision : Dismissed

Judgement

1. Heard learned counsel for the petitioner and learned SC 25 for the State.

2. The petitioner has moved the Court for the following reliefs:

"I. That the present writ application is being filed against the order dated 30.01.2018 (Annexure-7) passed in Officer, Officer District Public Grievance Redressal, Munger, respondent no. 5 who has been pleased to observe regarding cancellation of the zamandi no. 19 of Muaza-Binda Diara, Tola-Bahihar, Thana No. 386, Thazi No. 1351, Khata No.-519, Plot No.-19, Area-31 acre and 87 decimal; on the ground that the District Public Grievance Redressal, Munger has no jurisdiction to usurp the jurisdiction of the Additional Collector and decide the zamabandi, the matter is sub judice before the appropriate forum, the long standing zamabandi cannot be cancelled by summary proceeding;

II. And for any other relief(s) for which the petitioners are entitled for in the facts and circumstances of the present case."

3. The grievance of the petitioner is against an order passed by the Competent Authority under the Bihar Right to Public Grievance Redressal Act, 2015, which itself under Section 7 provides for appeal. However, the appeal is required to be

filed within 30 days of the decision and the First Appellate Authority can condone a further delay of 15 days.

4. From the pleadings, the Court finds that there is admission on the part of the petitioner that he was in possession of the order impugned on 03.02.2019. Thereafter, the present writ petition has been filed after more than 11 months for which there is absolutely no explanation.

5. Having regard to the aforesaid, the Court is not inclined to interfere in the matter.

6. Accordingly, the writ petition stands dismissed on the ground of delay and laches.

7. However, as has been pointed out by learned counsel for the petitioner, in proceedings preferred by his co-sharer with regard to the contiguous lands, if any order passed in such proceedings which have a bearing on the issue involved in the present case, including its merit, the petitioner will have a cause of action to move before the appropriate forum in accordance with law thereafter.