

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10409 of 1992

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Naresh Mohan Mishra, son of late Bateshwar Mishra, resident of village
Sirnia, P.O. Jamalpur Gogri, District- Khagaria

.... Petitioner/s

Versus

1. State of Bihar
2. Additional Collector, Khagaria
3. Collector, Khagaria
4. Member Board of Revenue, Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Faiz Ahmad

For the Respondent/s : Mr. Rajiv Kumar Singh, G.P.2

With Mr. Indrajeet Bhushan, AC to GP-2

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

7 12-03-2015 Learned counsel for the petitioner as well learned
counsel representing the State of Bihar has drawn my attention to
an order of this Court dated 20.9.2013 passed in CWJC No.
10408 of 1992 (Ratan Shankar Mishra and ors vs. State of Bihar
& ors). In the said case, same order dated 11.3.1991 passed by the
Additional Collector, Khagaria, in Land Ceiling Case No. 18 (kha)
of 1981-82, the order dated 7.7.1992 passed in Land Ceiling
Appeal case No. 5 of 1991-92 by the District Collector, Khagaria
and the order dated 26.9.1992 passed in Board's Case No. 157 of
1992 by the Member, Board of Revenue, Bihar, Patna were under
challenge, which are under challenge in the present writ
application also.

This Court has disposed of the said writ application with
the following direction, by order dated 20.9.2013:-

“In above view of the matter, the present writ petition is disposed of with a liberty to the petitioner to file an appropriate application before the State Government under Section 45B of the Land Ceiling Act for re-opening for the Land Ceiling Case No. 38(kha) of 1981-82 initiated and concluded against the land holder- Naresh Mohan Mishra. If such a petition is filed on behalf of the petitioner, after impleading all the necessary parties within a period of six weeks from today with a certified copy of the present order, then the State Government shall be obliged to consider and decide his claims in accordance with law by a reasoned and speaking order, after giving opportunity of hearing to all concerned.

Since the matter has become very old, it is expected that the petition filed on behalf of the petitioner under Section 45B of the Land Ceiling Act shall be decided expeditiously in accordance with law, preferably within a maximum period of nine months from the date of filing of the application by the petitioner.”

Accordingly, this writ application is also disposed of in terms of order dated 20.9.2013 passed in CWJC No. 10408 of 1992.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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