

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 2458 of 1995

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Sudarshan Sharma, son of Mouli Sharma, resident of Village – Debail, Ganga, PS –
Bihariganj, District - Madhepura

.... Petitioner/s

Versus

- 1 State of Bihar
- 2 The Additional Collector, Madhepura
- 3 The DCLR Udakishanganj, District – Madhepura
- 4 Smt Chinta Devi, wife of Surya Narain Jha, resident of Udakishanganj, PS –
Udakishanganj, District - Purnia

.... Respondent/s

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CORAM: HON'BLE MR JUSTICE NAVANITI PRASAD SINGH

ORAL JUDGMENT

Date: 30-04-2015

No one is present for the petitioner. State Counsel is present.

2 This writ petition has been filed by the petitioner against the order passed by the Deputy Collector (Land Reforms) (for brevity, *the DCLR*), Udakishanganj, District – Madhepura as affirmed by Additional Collector, Madhepura by which his application in Bataidari Case No 280 of 1990-1991 for being declared Bataidar in respect of lands of respondent No 4 Chinta Devi has been rejected.

3 Having perused the order of the DCLR, I find that he has duly recorded that he was not satisfied that any case was made out for initiating proceedings for declaring the writ petitioner Bataidar. That being the position, he dropped the proceedings. The revisional Court of Additional Collector agreed with the finding of the DCLR.

4 In my view, this Court, while exercising powers of

judicial review, does not sit in appeal. It merely looks into the procedural compliance. When both the authorities have come to concurrent finding of fact that no case is made out then it is not open to this Court to substitute its opinion in place of two authorities who are fact finding authorities.

5 This writ petition merits no consideration and is, accordingly, dismissed.

(Navaniti Prasad Singh, J)

M.E.H./-

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