

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11302 of 1997

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Doman Paswan son of Foocho Paswan, resident of village Bela Simri,
Police Station Khagaria, District Khagaria.

.... Petitioner

Versus

1. The State of Bihar
2. The Collector, Khagaria.
3. The Land Reforms Deputy Collector, Khagaria.
4. The Anchal Adhikari (Circle Officer), Khagaria.
5. Satya Narayan Keshri, son of Kishun Lal Keshri, resident of Mohalla
Lal Darwaja Durga Asthan, Monghyr, Police station Monghyr, Dist.
Monghyr.
6. Urmila Devi wife of Shir Shankar Keshri, resident of village Bela Simri
Police Station Khagaria, Dist. Khagaria.

.... Respondents

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. (Gp1)
Mr. Arjun Prasad Keshari

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

5 30-04-2015 Despite repeated calls nobody has appeared on
behalf of the petitioner to press the application. Learned counsel
for the respondent no.6 and the State are present.

Learned counsel for the respondents points out that
one month after the purchase of 16 kathas 3 dhurs of land from
respondent no.5 the writ petitioner filed an application under
Section 48E of the Bihar Tenancy Act in which a conciliatory
Board was constituted which submitted the report against the
Bataidar. Disagreeing with the report Deputy Collector Land

Reforms passed the order in favour of the writ petitioner. Aggrieved thereby the respondent no.6, filed an appeal which has been allowed by the Collector against which the writ petition has been filed.

One of the findings of the Collector is that the Deputy Collector Land Reforms acted in illegal manner while differing with the report of Bataidar Board by not permitting the parties to adduce oral or documentary evidence and merely on the basis of alleged construction of a hut on a corner of the land, the claim of the Bataidar has been allowed.

Be that as it may, since nobody has appeared on behalf of the petitioner to press this application, this Court is constrained to dismiss the writ application for non-prosecution.

(Kishore Kumar Mandal, J)

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