

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3428 of 2012

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Sumant Kumar Chaudhary, Son Of Rameshwar Chaudhary, Resident Of
Village - Baulia, P.S. Manihari, District - Katihar

.... Petitioner/s

Versus

1. The State Of Bihar
2. Collector, Katihar
3. Circle Officer, Manihari
4. Deputy Collector Land Reforms, Katihar
5. Sushma Devi, W/O Phul Prasad Singh, Resident of Village - Talipara,
P.S. - Manihari, District - Katihar
6. Prabhawati Devi, Widow of Mahesh Kumar Singh, Resident of Village -
Baghmara, P.S. Manihari, District Katihar at Present Residing Near Durga
Sthan, P.S Katihar (Naka No. 2), Katihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Abhinay Raj
For the Respondent nos.1to4 : Mr. Ashok Kumar Keshri, AAG-11
Mr.Ujjwal Kumar Sinha, AC to AAG-11
For the Respondent no.5 : Mr.Rama Nand Poddar

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 18-09-2015 Heard the parties.

The petitioner is aggrieved by the order dated 25.03.1991 passed in Mutation Revision Case No.430 of 1987-88 by the respondent District Collector, Katihar, as contained in Annexure-4, whereby the aforesaid Mutation Revision Case filed on behalf of the petitioner was dismissed and the order dated 25.09.1987 (Annexure-3) passed by the respondent D.C.L.R., Katihar as also the original order dated 26.03.1985 (Annexure-2) passed by the Circle Officer, Manihari was affirmed.

At the very threshold, learned AC to AAG-11 appearing on behalf of the respondent nos.1 to 4 submits that the writ petition suffers from delay and laches and, therefore, on that ground alone, it is liable to be dismissed.

Evidently, the impugned order was passed on 25.03.1991 by the respondent District Collector rejecting the mutation revision application filed by the petitioner and affirming the orders passed by the original authority as also the appellate authority. The petitioner was fully aware about the impugned order, but the present writ petition was filed on 17.02.2012 i.e. after delay of about 21 years. In the whole writ petition, no explanation has been furnished by the petitioner for approaching this Court after such a long delay of more than two decades.

In above view of the matter, without going into the merits of the case, the writ petition is dismissed on the ground of delay and laches on the part of the petitioner in approaching this Court after such a long delay of more than two decades.

(Birendra Prasad Verma, J)

Arvind/-

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