

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13163 of 2012

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Shiv Kumar Paswan son of Late Ram Ekbal Paswan, resident of Village-
Keothar, Tola- Jibudihuli, Anchal- Singhia, P.S.- Singhia, District-
Samastipur

.... Petitioner/s

Versus

1. The State of Bihar
2. The Collector, Samastipur
3. The Deputy Collector, Land Reforms, Rosera
4. The Circle Officer, Singhia, Samastipur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mrs. Anju Jha, Advocate

For the Respondent/s : Mr. Shashi Shekhar Pd.Sinha, AC to GA 13

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 29-09-2015

Heard the parties.

The petitioner is aggrieved by order dated 08.07.2007 (Annexure-1/A) passed in Basgit (Homestead) Parcha Case No. 381 of 2000 by the respondent District Collector, Samastipur, whereby the petition filed on behalf of the petitioner under Section 21 of The Bihar Privileged Persons Homestead Tenancy Act, 1947 (in short, "Act, 1947") has been dismissed and order dated 10.07.1998 passed by the respondent Anchal Adhikari, Singhia has been affirmed.

The present writ petition suffers from delay and laches. Original order was passed on 10.07.1998 (Annexure-1) by the respondent Anchal Adhikari, Singhia. The petitioner, being aggrieved by the aforesaid order, approached the respondent District Collector, Samastipur under Section 21 of the Act, 1947. The petition filed on behalf of the petitioner was finally dismissed by impugned order dated 08.07.2007. The petitioner appears to have accepted the finality of the aforesaid order; but after five

long years, the present writ petition was filed on 23.07.2012. In the whole writ petition, no explanation has been furnished for such a long delay in approaching this Court in the present proceeding.

In above view of the matter, without going into the merits of the claims of the parties with respect to the lands under dispute and the orders passed by the authorities, the present writ petition is dismissed in limine on the ground of delay and laches.

(Birendra Prasad Verma, J)

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