

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23223 of 2013

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Manoj Kumar Sharma, S/O Late Madan Kumar Sharma, Resident Of
Mohalla- Harakh Kothi (Mirganj), P.S- Town, Begusarai, District-
Begusarai.

.... Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Government of Bihar,
Patna.
 2. The Divisional Commissioner, Munger.
 3. Smt. Neelima Thakur, W/O Sri Ajay Kumar Thakur.
 4. Smt. Rashmi Sinha, W/O Sri Jyoti Prasad Sinha.
 5. Dr. Hemant Kumar Sharma, S/O Late Vishwanath Singh Sharma
- 3 to 5 are Resident Of Harakala Kothi (Mirganj), Post- Begusarai, P.S-
Begusarai, District- Begusarai.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar Sinha No.-1
For the Respondent nos.1&2 : Mr. Krishna Kumar, AC to GP-26

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 22-12-2015 The present writ petition has been filed on behalf of
the petitioner assailing the validity and correctness of the order
dated 25.09.2013 passed in Bihar Land Disputes Resolution
Appeal No.222 of 2013 by the respondent Divisional
Commissioner, Munger, as contained in Annexure-1, whereby a
direction was issued for addition/deletion of the parties of the
aforesaid appeal.

Evidently, the impugned order is interlocutory in
nature.

The learned counsel appearing on behalf of the
petitioner has very fairly submitted that during the pendency of the
present writ petition, now final order has been passed in the
aforesaid Bihar Land Disputes Resolution Appeal No.222 of 2013
by the Divisional Commissioner and the appeal preferred on

behalf of the private respondents has been allowed.

In above view of the matter, the present writ petition has become infructuous and is, accordingly, dismissed.

However, if the petitioner is at all aggrieved by the final order passed in the aforesaid appeal by the respondent Divisional Commissioner, then he shall be at liberty to assail the validity and correctness of the said order before the learned Bihar Land Tribunal, Patna in view of the provisions contained in Section 9 of The Bihar Land Tribunal Act, 2009. He shall further be at liberty to raise all the issues of facts and law with respect to the lands in question before the learned Bihar Land Tribunal, Patna, if such petition is filed on his behalf.

The writ petition stands dismissed with the observations made above.

(Birendra Prasad Verma, J)

Arvind/-

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