

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14513 of 2008

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Mishri Yadav son of late Tetar Yadav, resident of Village- Neem Nawada,
Tola, Gauwashwar P.S. Khaira, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar
2. The D.M., Jamui.
3. The D.C.L.R., Jamui.
4. The C.O. Khaira, Jamui.
5. Prasad Yadav
6. Khago Yadav, both are sons of late Dili Yadav.
7. Pyari Yadav
8. Rupan Yadav, both are sons of late Luran Yadav, All are resident of
village Neem Nawadah, Tola Gauwarhwar, P.S. Khaira, Distt. Jamui.
9. The Divisional Commisioner, Munger.

.... Respondent/s

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Appearance :

For the Petitioner/s : None.

For the Respondent/s : None.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 20-08-2016 Despite repeated calls, none appears on behalf of the petitioner in support of the present writ petition. None appears on behalf of the official respondent No.1 to 4 either, though the names of the learned counsel appearing on behalf of the parties are printed in the daily cause list.

However, after going through the order-sheet of this case, this Court finds that this writ petition stood dismissed as against contesting respondent no. 5 to 8 on account of non-compliance of the Court's peremptory order dated 29.04.2013.

By the impugned orders passed by the respondent D.C.L.R., Jamui as also the respondent District Collector, Jamui, as contained in Annexure-4 and 5, the claim raised on behalf of the petitioner with respect to the lands in question has been rejected and that of the private respondent no. 5 to 8 has been allowed.

In above view of the matter, the issue raised on behalf of the petitioner in the present proceeding cannot be gone into in absence of the private respondent no. 5 to 8 against whom the writ petition has already stood dismissed on account of non-compliance of the Court's peremptory order dated 29.04.2013. Therefore, the present writ petition has become incompetent.

In the aforesaid circumstances, this Court has no option, but to dismiss the writ petition. It is, accordingly, dismissed.

(Birendra Prasad Verma, J)

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