

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3837 of 2014

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1. Rajesh Sao S/O Amrit Sao
2. Ram Dayal Sao S/O Shiv Shankar Sao
3. Anirudh Sao S/O Late Karu Sao
4. Suresh Sao S/O Late Deoki Sao
5. Yugal Sao Son Of Late Lakshman Sao
6. Ram Lakhan Sao Son Of Late Lakshman Sao
7. Surendra Sao Son Of Late Birju Sao
8. Birendra Sao Son Of Late Jagdish Sao
9. Manoj Sao Son Of Late Kailash Sao
10. Suraj Sao Son Of Late Mahagi Sao
11. Bachchu Sao Son Of Late Kashi Sao
12. Kishun Sao Son Of Late Latan Sao
13. Bishun Sao Son Of Late Latan Sao
14. Mahesh Sao Son Of Late Latan Sao
15. Basant Sao Son Of Late Latan Sao
16. Jaihid Kumar Son Of Amrit Yadav
17. Rajesh Sao Son Of Pyare Sao
18. Smt. Bebi Devi W/O Sri Kant Sao
All Resident Of Village- Ketava, P.O. Ketava, P.S. Fatehpur, Dist.- Gaya

.... Petitioner/s

Versus

1. The State Of Bihar through the Collector, Gaya
2. Additional Collector, Gaya
3. Deputy Land Reforms Collector Sadar, Gaya
4. Sub Divisional Officer Sadar, Gaya
5. Circle Officer Anchal Adhikari, Fatehpur, Gaya
6. Officer Incharge Fatehpur, Gaya
7. Smt. Bachchi Devi W/O Guru Sahai Yadav Resident Of Village- Raisil,
P.O. Lodhway, P.S. Fatehpur, Anchal Fatehpur Dist.- Gaya

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gauri Shankar Prasad
For the Respondent nos.1to6 : Mr. Prashant Kumar, AC to GP-8

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

6 20-05-2016 Heard learned counsel for the petitioners and learned
State counsel appearing on behalf of the official respondents.

The petitioners have filed the present writ petition
questioning the validity and legality of the Parwana dated
12.10.1999/ 02.11.1999, as contained in Annexure-1 to the writ

petition, whereby the lands in question was settled in favour of the private respondent no.7, being a landless person.

As per their own showing, in view of the averments made in paragraph 5 of the writ petition, the lands in question is a government land recorded in the revenue khatian as Anawad Bihar Sarkar, though in the remarks column one Jagat Narain Giri has been shown to be in illegal possession. The petitioners claim to be the purchasers from aforesaid Jagat Narain Giri through different sale deeds. However, the copies of the sale deeds have not been brought on record.

The present writ petition has to fail on two counts; firstly, that the petitioners have no legal rights over the lands in question, as the lands in question is a government land recorded in the revenue records. Even aforesaid Jagat Narain Giri, who has been shown in illegal possession, has/had no legal right to transfer the lands in question in favour of the petitioners by executing different sale deeds. The transfer made by aforesaid Jagat Narain Giri is void abinitio; secondly, the writ petition suffers from the vices of delay and laches. The settlement in favour of the private respondent no.7 was made way back in the year 1999 and the present writ petition has been filed after a long delay of more than 14 years on 17.02.2014.

Hence, the present writ petition is devoid of merit and is, accordingly, dismissed, but without costs.

(Birendra Prasad Verma, J)

Arvind/-

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