

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4585 of 2002

With
Interlocutory Application No. 2675 of 2016

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Mithlesh Devi wife of Sri Umesh Pd.Singh, resident of village Barahi
Hariram, P.S.Majorganj, District Sitamarhi Petitioner/s
Versus

1. The State of Bihar
2. Additional Member, Board of Revenue, Bihar, Patna
3. The Collector, Sitamarhi
4. The Land Reforms Deputy Collector, Sitamarhi Sadar
5. Ram Binay Singh son of Late Mohan Singh, resident of village Barahi
Hariram, P.S.Majorganj, District Sitamarhi, Pre-emptor
6. **Krishnadeo Singh son of Late Mohan Singh-Vendor (Expunged vide
order dated 07.04.2016 and substituted by his widow as his heir and
legal representative)**
- 6(i) Lalpari Devi wife of Late Krishnadeo Singh, resident of village
Barahi Hariram, P.S.Majorganj, District Sitamarhi
7. Sheoji Singh son of Late Parichhan singh, resident of village and
P.O. Dumari Kalan, P.S./Anchal Majorganj, District Sitamarhi
-Prior purchaser Respondent/s

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Appearance :

For the Petitioner/s : Mr. Udit Narayan Singh, Advocate
Mr. Gajendra Kumar Singh, Advocate
For the Respondent Nos. 1 to 4: Mr.Rakesh Kumar Ranjan, AC to GA 12
For the Respondent No.5 : Mr.Arun Kumar, Advocate
Mr.Md.Hussainuddin Azad, Advocate

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

10 21-04-2016

Heard the parties.

2. The present writ petition arises out of a proceeding under Section 16 (3) of The Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (in short, “the Land Ceiling Act”).

3. The petitioner is the purchaser of the vended plots, fully detailed in paragraph 2 of the Interlocutory Application No. 2675 of 2016. The respondent no.5, claiming to be the boundary raiyat, filed a pre-emption case before the respondent DCLR, Sitamarhi Sadar, which was finally rejected by order dated 20.07.1998. However, the order passed by the respondent DCLR

was reversed by the appellate authority, which was affirmed by the revisional authority.

4. The learned counsel appearing on behalf of the petitioner and the learned counsel appearing on behalf of the respondents including that of respondent no.5 are unanimous in their submission that due to intervention of well wishers and common friends of both sides, the matter has been amicably compromised between the parties with the terms and conditions mentioned in paragraph 1 of the Interlocutory Application No. 2675 of 2016. In the aforesaid Interlocutory Application No. 2675 of 2016, the substituted respondent no.6 and respondent no.7 have also joined by filing their respective affidavits supporting the factum of compromise.

5. The learned counsel appearing on behalf of the parties have jointly submitted that the writ petition may be finally disposed of in terms of the compromise arrived at between the parties as indicated in paragraph 1 of the Interlocutory Application No. 2675 of 2016. The learned State counsel appearing on behalf of the respondent nos. 1 to 4 does not raise any objection to the aforesaid compromise arrived at between the parties.

6. In above view of the matter, the writ petition is finally disposed of in terms of compromise arrived at between the parties, fully detailed in paragraph 1 of the Interlocutory Application No. 2675 of 2016, which shall form part of the compromise order. I.A.No. 2675 of 2016 also stands accordingly disposed of.

(Birendra Prasad Verma, J)

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