

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10675 of 2009

With
I.A. No. 8230 of 2015

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Shiban Mandal son of late Sant Lal Mandal, resident of village Sosa Tola
Jogi Chak, P.S. Krityanand Nagar, District Purnia.

.... Petitioner/s

Versus

- 1 The State of Bihar
- 2 The Sub Divisional Officer, Sadar, Purnia.
- 3 The Anchal Adhikari at Krityanand Nagar Anchal Office within the district of Purnia.
- 4 Shri Nawal Kishor Choudhary son of Late Yogendra Narayan Choudhary
- 5 Shri Kaushal Kishor Choudhary son of Late Yogendra Narayan Choudhary.
- 6 Shri Awadh Kishor Choudhary son of Late Yogendra Narayan Choudhary
- 7 Shri Sanjay Choudhary son of Late Nand Kishor Choudhary.
- 8 Shri Bikram Choudhary son of Bulli Choudhary @ Braj Kishor Choudhary, No. 4 to 8 residents of village Parora, P.S. Krityanand Nagar, District Purnia.

.... Respondent/s

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Appearance :

For the Petitioner/s : None.

For the Intervenors : Mr. Pankaj Kumar Sinha, Adv.
Mr. Kamal Kishore Jha, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 02-08-2016 Despite repeated calls, none appears on behalf of the petitioner in support of the present writ petition, though the name of the learned counsel appearing on his behalf is printed in the daily cause list. None appears on behalf of the respondents either.

The learned counsel appearing on behalf of the intervenors, who have filed I.A. No.8230 of 2015 for their impleadment as party respondents, however, submits that the claim raised on behalf of the petitioner with respect to the lands in question under Section 48D of the Bihar Tenancy Act, 1885 (in short B.T. Act) was rejected by the original authority vide order contained in Annexure-3, which has been affirmed by the

appellate authority vide order contained in Annexure-4. Therefore, the petitioner lost his case before both the authorities. It is further submitted that for same set of lands the claim raised on behalf of the intervenors under Section 48D of the B.T. Act has been allowed by the appellate authority, yet the intervenors have not been impleaded as party respondents. Hence, according to him, the writ petition suffers from non-joinder of necessary parties and is liable to be dismissed on that ground alone.

Be that as it may, since none is appearing on behalf of the petitioner in support of the present writ petition, it stands dismissed for want of prosecution.

(Birendra Prasad Verma, J)

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