

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7078 of 2009

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1. Uttam Lal Mandal, son of late Shri Gulai Lal Mandal
2. Kawita Devi, wife of Shri Shambhu Mandal, daughter of late Sri Mahanthlal Mandal
Both resident of village-Pathraha, P.O.-Deniganj, P.S.-Narpatganj, District-Araria.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Anchal Adhikari, Narpatganj, District-Araria.
3. The Sub-Divisional Officer, Forbesganj, District-Araria.
4. Yoga Nand Bahardar, son of Sagam Lal Bahardar
5. Shivit Lal Bahardar
6. Boku Bahardar
7. Bandi Bahardar

All sons of late Shri Bhaiya Lal Bahardar, resident of village-Pathraha, P.O.-Deniganj, P.S.-Narpatganj, District-Araria.

.... Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent no.4 : Mr. Sudhir Kumar Thakur, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

5 26-07-2016 Despite repeated calls, none appears on behalf of the petitioners in support of the present writ petition, though the names of the learned counsel appearing on their behalf are printed in the daily cause list.

Learned counsel appearing on behalf of the respondent no.4, on the other hand, submits that the claim raised on behalf of the ancestor of the petitioners under Section 48-D of the B.T. Act has been rejected by the original authority as also the appellate authority vide orders as contained in Annexure-2 and 3 respectively by recording a finding of fact that the private respondent no.4 is having only 49 decimals of land in all; therefore, petition under Section 48-D of the B.T. Act was not maintainable against him. According to him, the orders impugned

cannot be legally faulted.

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

(Birendra Prasad Verma, J)

Arvind/-

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