

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9700 of 2015

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1. Yogendra Sahni, Son of Ramdeo Sahni
2. Hem Narayan Sahni, son of Rajdeo Sahni
Both Residents of Village+P.O. Rajepur, District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar,
Patna.
2. District Magistrate, East Champaran.
3. L.R.D.C. Pakri Dayal, East Champaran.
4. S.D.O. Pakri Daya, East Champaran.
5. Mritunjay Kumar Singh, son of late Rajdhari Singh, Village+P.O. and
Panchayat Meghua P.S. Madhuban District East Champaran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Dr. Om Prakash Om, Adv.
For the Respondent nos.1to4 : Mr. Rakesh Kumar Ranjan, AC to GA-5

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 25-11-2016

Heard.

The petitioner has filed the present writ petition under Article 226 of the Constitution of India assailing the validity and correctness of the order dated 17.06.1995 passed in Pre-emption Case No.7 of 1994-95 by the respondent D.C.L.R., Pakridayal, East Champaran, as contained in Annexure-3 to the writ petition, whereby the claim of pre-emption raised on behalf of the respondent no.5 under Section 16(3) of the Land Ceiling Act with respect to the vended plot has been allowed.

From bare perusal of the impugned order, it is apparent that the aforesaid order was passed after hearing both sides including the petitioner. However, the petitioner allowed the aforesaid order to attain its finality and did not challenge the same either before the appellate authority or the revisional authority. However, after delay of more than 20 years, the present writ

petition has been filed questioning the validity of the impugned order passed in the year 1995. In the whole writ petition, no valid explanation has been furnished for such a huge delay of more than two decades. Apparently, the writ petition suffers from delay and laches. The lis, which came to an end in the year 1995 cannot be permitted to be reopened after more than two decades.

The writ petition is devoid of merit and is, accordingly, dismissed, but without costs.

(Birendra Prasad Verma, J)

Arvind/-

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