

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12322 of 2005

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1. Anandi Harizan son of Tinkauri Harizan, resident of village- Nagrah, P.S. Naugachiya, District- Bhagalpur.
 2. Aghauri Harizan son of Late Moti Das, resident of village- Nagrah, P.S. Naugachiya, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Collector, Bhagalpur.
3. The Additional Collector, Bhagalpur.
4. The Deputy Collector, Land Reforms Naugachiya, Bhagalpur.
5. The Circle Officer, Naugachiya, Dist. Bhagalpur.
6. Upendar Mandal son of Sita Ram Mandal.
7. Chhatu Mandal son of Upendra Mandal, No. 6 and 7 residents of village Nagrah (Tula Jonia) P.S. Naugachiya, District Bhagalpur.
8. Ramu Sahu
9. Dhaneshwar Pd. Sahu
10. Satyan Narayan Sahu, all sons of late Ram Chandra Sah, residents of village Basantpur Khara, Sahu Parwatta, P.S. Sahu Parwatta, District Bhagalpur.
11. Hakim Yadav son of late Sitabi Yadav, resident of village Jahagirpur Basi Chui, P.S. Gopalpur, District Bhagalpur.
12. Jodi Yadav son of Bhumi Yadav, resident of village Jahagirpur Baisi Chu, P.S. Gopalpur, District Bhagalpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : None.

For the Respondent/s : None.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

7 18-04-2016

This writ petition was earlier dismissed by an order dated 29.01.2013 by a Bench of this Court, but subsequently it was restored. After restoration, the matter was listed for admission. Again nobody had appeared on behalf of the petitioners, hence the writ petition was dismissed for the second time by an order dated 12.01.2015 by another Bench of this Court. Yet, the matter was again restored by order dated 16.03.2016 passed in MJC No. 1125 of 2015.

When the matter has been listed once again for

admission, unfortunately none is appearing on behalf of the petitioners in support of the present writ petition. None appears on behalf of the respondents either, though, the names of the learned counsel appearing on behalf of the parties are printed in the daily cause list.

On examination of the record, this Court finds that the petitioners are aggrieved by order dated 01.10.1997 passed in Case No. 3 of 1995-96 by the respondent D.C.L.R., Naugachia, as contained in Annexure-1 to the writ petition, whereby claim of the private respondent no. 6 and 7 under Section 48E of the B.T. Act was allowed. Thereafter, Batai Appeal No. 100 of 1997-98 was preferred against the original order passed by the respondent D.C.L.R., but the appellate authority has dismissed the aforesaid Batai appeal by a reasoned and speaking order dated 20.02.2004 (Annexure-2).

Apparently, by recording a concurrent finding of facts, the claim of private respondent no. 6 and 7 with respect to the lands in question has been allowed and that of the writ petitioners has been rejected. In above view of the matter, this Court does not find any good ground to interfere with the orders impugned.

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

(Birendra Prasad Verma, J)

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