

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9908 of 2015

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Usha Rai @ Usha Rani, wife of late Rameshwar Yadav, resident of Village-
Mokama, P.S.- Dhamdaha, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar, through the Member Board of Revenue, Bihar, Patna.
2. Rajendra Mehata
3. Mahendra Mehata,
Both sons of Late Ramlal Mehata, Resident of Village- Mokama, P.S.
Dhamdaha, District- Purnea.
4. Uday Bhagat
5. Vijay Bhagat,
Both sons of Late Bishwanath Bhagat
6. Birendra Bhagat
7. Upendra Bhagat,
Both sons of Late Chandrma Bhagat
All resident of village- and P.S. Bhawanipur, District- Purnea.
8. The Secretary, Land Reforms & Revenue Dept, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Baidyanath Prasad, Adv.

For the Respondent nos.1&8 : Mr. Pratik Kumar Sinha, AC to GA-5

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 25-11-2016

Heard.

The present writ petition has been filed on behalf of the petitioner questioning the validity and correctness of the order dated 28.05.1986 read with order dated 29.05.1986 passed in Board's (Pre-emption) Case No.538 of 1985 by the respondent Additional Member, Board of Revenue, as contained in Annexure-3 series, whereby the aforesaid pre-emption revision case filed on behalf of the petitioner was dismissed for want of prosecution. The petitioner is also aggrieved by the order dated 22.12.1986 passed in aforesaid Board's (Pre-emption) Case No.538 of 1985 (Annexure-3 series), whereby the prayer for restoration has been rejected for the reasons recorded in that order.

The learned AC to GA-5 appearing on behalf of the official respondents at the very outset submitted that the present writ petition is hopelessly barred by limitation as the orders impugned were passed in the year 1986 and the present writ petition has been filed after about three decades.

Though, the learned counsel appearing on behalf of the petitioner has argued the matter at some length, but this Court is satisfied that the present writ petition suffers from delay and laches.

In above view of the matter, this Court does not feel persuaded to interfere with the orders impugned passed by the respondent Additional Member, Board of Revenue, Bihar, Patna. The writ petition is devoid of merits and is, accordingly, dismissed, but without costs.

(Birendra Prasad Verma, J)

Arvind/-

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