

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1655 of 2016

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Raj Raushan Pathak, Son of Late Ram Badan Pathak, resident of Village-
Kusrupa, P.O.- Sarenja, P.S.- Rajpur, District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar through Collector, Buxar.
2. The Superintendent of Police, Buxar.
3. The Sub-Divisional Officer, Buxar.
4. The Circle Officer, Chausa, Buxar.
5. The Officer-in-Charge, Rajpur Police Station, Buxar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Pandey, Advocate
Mr. Anil Kumar Roy, Advocate

For the Respondent/s : Mr. AC to GA-9

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 20-11-2017

Heard learned counsel for the petitioner and
learned AC to GA-9.

The present Writ application has been filed for
directing the respondent authorities to conclude the proceeding of
Land Demarcation Case No. 03 of 2015-16 pending before
respondent no. 4, Circle Officer, Chausa, Buxar.

It is submitted by learned counsel for the
petitioner that in the demarcation proceeding, the land in question



is the land appertaining to Revenue Survey No. 47, Plot No.492, Chak Khata No. 90/kh, Chak Plot No. 441, 439, 440 and 438 having an area of 98 decimals and Plot Nos. 122, 127, 123 and 744 having an area of 54 decimals total area 1.52 decimals.

It is submitted by learned counsel for the State that the counter affidavits have been filed on behalf of respondent nos. 1 to 4, from which it appears that the demarcation proceeding has already been concluded and hence, the present Writ application has become infructuous.

It is submitted by learned counsel for the petitioner that only 0.98 acres of land has been demarcated which gets reflected from the demarcation report. So far as Survey Plot No. 818 area 5 decimals and Survey Plot No. 183 area 48 decimals are concerned, the same have not been demarcated and those lands have been incorporated in the margin of demarcation report.

Considering the rival submissions of the parties, since the demarcation proceeding has already been concluded the present Writ application has become infructuous and accordingly, it is disposed of.

However, if the petitioner is aggrieved by the order of the Circle Officer, Chausa, Buxar, he is at liberty to challenge the same before appropriate forum within a period of



four weeks and if such appeal is filed then the appellate authority will consider the application for condonation of delay in view of the fact that the Writ application had been pending before this Court since 22.01.2016.

(Dinesh Kumar Singh, J)

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