

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1477 of 2015

In
Civil Writ Jurisdiction Case No.5566 of 1998

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Ali Imam Son of late Md. Ali Raza Resident of Village Jangalia, P.s &
District Gopalganj.

... .. Appellant

Versus

1. The State of Bihar
2. The Collector, Gopalganj.
3. The Zila Parishad Gopalganj through its Deputy Development Commissioner cum Chief Executive officer, Zila parishad, Gopalganj.
4. The District Engineer, Zila parishad, Gopalganj.
5. The Circle officer, Gopalganj, Circle Gopalganj.

... .. Respondents

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Appearance :

For the Appellant :	Mr. Dhananjay Kumar, Advocate
For the Respondent State:	Mr. Dharendra Kumar, AC to AAG-6
For the Respondent Z.P. :	Mr. Satya Prakash Tripathy, Advocate
	Mr. Satya Vrat, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date : 20-11-2017

Heard counsel for the appellant and counsel for the respondents.

The Court is not inclined to entertain the appeal against the impugned order dated 26.02.2015 passed in C.W.J.C. No. 5566 of 1998 for the reason that the order of the D.C.L.R. cannot be considered sacrosanct and the final order. It is evident from perusal of the pleadings that somehow the appeal preferred against that order of D.C.L.R. has not been adjudicated upon and the records have gone missing. Obviously, there is something amiss in the



manner the whole proceedings have been managed or stage managed. It is in this background that the learned single Judge gave a fresh opportunity to the Collector to initiate a fresh proceeding with due opportunity to the petitioner in every respect.

Such a direction and order cannot be said to be erroneous in any manner.

It is hoped and expected that the district authorities with due cooperation of the Zila Parishad and the petitioner will give finality to the issue without further delay, preferably within a period of six months.

Appeal is dismissed with the above observation.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

Pawan/-

AFR/NAFR	N.A.F.R.
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