

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1265 of 2016

- =====
1. Rajdeo Prasad Verma son of late Thakur Prasad Verma, village Bamna Tola
Mahmadpur, P.S. & District Jehanabad
 2. Ranjeet Kumar son of late Shivratan Singh, village Ova, P.S. Makhdumpur,
District Jehanabad

.... Appellant/s

Versus

1. The State of Bihar
2. Adhyaksh, Bihar Bhumi Nyayadhikaran, Patna
3. Ayukta, Magadh Pramandal, Gaya
4. Bhumi Sudhir Up-Samaharta, Gaya
5. Tatkalin Shayak Bandobast Padadhikari, Gaya
6. Anchal Adhikari, Belaganj, Gaya
7. Rajaswa Karmachari, Rajaswa Gaon Harigaon, Thana No.345, Thana Belganj,
Zila Gaya
8. Ali Nat Pita Panchu Nat, Gram Belaganj Bazar, Thana Wo, Anchal Belaganj,
Zila Gaya
9. Gafur Nat Pita Panchu Nat, Gram Belaganj Bazar, Thana Wo, Anchal Belaganj,
Zila Gaya
10. Krishnadeo Lal
11. Gauri Shankar Lal
12. Awadh Kishore Lal
13. Ashok Singh son of late Ramanand Singh, village Ramgarh, P.S. Kirpi, District
Arwal

.... Respondent/s

=====

Appearance :
For the Appellant/s :
For the Respondent/s :

=====

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL JUDGMENT



(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 02-05-2017

None is present for the appellants. None had appeared on the last date also.

With regard to a dispute pertaining to a piece of land, after taking note of the order passed by the Deputy Collector, Land Reforms and the Divisional Commissioner in appeal under the Bihar Land Disputes Resolution Act, 2009, the learned Writ Court found that the matter was heard by a Full Bench of the Tribunal and two of the Judges concurred and passed identical orders, whereas third member passed a separate order.

The writ petition was filed seeking implementation of the order passed by the minority member. The learned Writ Court after taking note of the totality of the circumstances and Rule 22 of the Bihar Land Tribunal Act, 2009 came to the conclusion that when a decision is rendered by a Bench of three or more member, the decision of the majority would be binding and that would be a decision of the Tribunal.

Accordingly, after taking note of Rule 22, it has been held that the relief claimed for, directing implementation of the view of the minority member is not permissible under law and the writ petition has been dismissed.



In doing so, no error has been committed by the learned
Writ Court warranting reconsideration.

The appeal is dismissed.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

Narendra/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	13.05.2017
Transmission Date	

