

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.982 of 2016

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Ram Yad Rai, son of late Ram Nagina Rai, resident of village- Bhargama,
P.S. Bheja, District- Madhubani

.... Appellant/s

Versus

1. The State of Bihar
2. The Collector of District Madhubani
3. Mukesh Paswan, s/o Ram Prit Paswan
4. Dilip Paswan, S/o Ram Prit Paswan
5. Manoj Paswan, S/o Ram Prit Paswan
6. Ram Bhajan Paswan, s/o Nathuni Paswan
7. Rajendra Paswan, S/o Basudeo Paswan
8. Mukesh Ram, S/o Saudgar Ram
9. Shekhar Sadai, S/o Banwati Sadai
10. Kari Saday S/o Lator Sadai, All from 3 to 10 are of village Bhargama, P.S. Bheja District Madhubani
11. Swarup Sadai (now dead) son of Hiya Sadai through his sons (i) Pani Sadai (ii) Hari Sadai, resident of village Bhargama, Tola Sunari, P.O. Bhargama, P.S. Bheja, District- Madhubani
12. Sukun Sadai (now dead) son of Teju Sadai through his daughter Urmila Devi, resident of village Bhargama Tola Sunari, P.O. Bhargama P.S. Bheja, District Madhubani
13. Hirday Sadai (now dead) son of Kantir Sadai through his son Dasana Sadai, resident of village Bhargama presently Mungardagma, District- Darbhanga
14. Buchkun Sadai, son of Nathu Sadai @ Ratilal Sadai, Resident of village- Bhargama P.S. Bheja District Madhubani
15. Juge Sadai (now dead) son of Tuntun Sadai through his sons (i) Tetar Sadai (ii) Raje Sadai (iii) Gajo Sadai, all are resident of village – Bhargama (Bakua) Tola Sunari, P.O. Bhargama P.S. Bheja, District- Madhubani
16. Kauleshwar Sadai, son of Dukha Sadai resident of village Bhargama, (Bakua) Tola Sunari, P.O. Bhargama, P.S. Bheja, District- Madhubani
17. Jagdish Sadai (now dead) son of Shankar Sadai through his son (i) Chhedi Sadai, resident of village Bhargama, (Bakua) Tola Sunari, P.O. Bhargama, P.S. Bheja, District- Madhubani
18. Ram Prasad Sadai, son of Jibachh Sadai, resident of village Bhargama, P.O. Bhargama, P.S. Bheja, District- Madhubani
19. Chitu Sadai, son of Nathu Sadai, resident of village Bhargama, (Bakua) Tola Sunari, P.O. Bhargama, P.S. Bheja, District- Madhubani
20. Yadu Sadai (now dead) son of Lalo Sadai through his sons (i) Satan Sadai (ii) Narayan Sadai, both resident of resident of village Bhargama, (Bakua) Tola Sunari, P.O. Bhargama, P.S. Bheja, District- Madhubani
21. Chhutharu Sadai, son of Bikau Sadai, resident of village Bhargama, (Bakua) Tola Sunari, P.O. Bhargama, P.S. Bheja, District- Madhubani
22. Phulwa Sadai (now dead) daughter of Kantir Sadai through his son (i) Nunu Lal Sadai, resident of village Bhargama, (Bakua) Tola Sunari, P.O. Bhargama, P.S. Bheja, District- Madhubani
23. Lakshman Sadai, son of Rabgi Sadai, resident of village Bhargama, (Bakua) Tola Sunari, P.O. Bhargama, P.S. Bheja, District- Madhubani
24. Kari Sadai, son of Sri Sadai, resident of village Bhargama, (Bakua) Tola Sunari, P.O. Bhargama, P.S. Bheja, District- Madhubani



25. Janak Sadai (now dead) son of Jitan Sadai, through his son (i) Subey Sadai, resident of village Bhargama, (Bakua) Tola Sunari, P.O. Bhargama, P.S. Bheja, District- Madhubani
26. Bashist Sadai, son of Kanak Sadai, resident of village Bhargama, (Bakua) Tola Sunari, P.O. Bhargama, P.S. Bheja, District- Madhubani
27. Gagaru Sadai (now dead) son of Hitai Sadai through his sons (i) Nago Sadai, (ii) Jage Sadai, (iii) Nilam Sadai, (iv) Nrayan Sadai, all are resident of village Bhargama, (Bakua) Tola Sunari, P.O. Bhargama, P.S. Bheja, District- Madhubani
28. Bholu Sadai (now dead) son of Panchu Sadai through his sons (i) Satto Sadai (ii) Kupa Sadai, both are resident of village Bhargama, (Bakua) Tola Sunari, P.O. Bhargama, P.S. Bheja, District- Madhubani
29. Brihaspati Sadai (now dead) son of Bilat Sadai through his sons (i) Mahabir Sadai (ii) Ram Ballam Sadai, both resident of village Bhargama, (Bakua) Tola Sunari, P.O. Bhargama, P.S. Bheja, District- Madhubani
30. Most. Dasani (now dead) w/o Sri Sadai through her sons (i) Satto Sadai (ii) Sukhdeo Sadai (iii) Basudeo Sadai and (iv) Sahdeo Sadai, all resident of village Bhargama, (Bakua) Tola Sunari, P.O. Bhargama, P.S. Bheja, District- Madhubani
31. Ghuran Sadai, son of Batahu Sadai, resident of village Bhargama, P.S. Bheja, District- Madhubani
32. Khushilal Ram (now dead) son of Subbe Ram through his sons (i) Ramphal Ram (ii) Umakant Ram, both resident of village Bhargama, P.S. Bheja, District- Madhubani
33. Mostt. Tiliya W/o Banbali Sadai, resident of village – Bhargama, P.S. Bheja, District- Madhubani
34. Lakhan Ram, son of Thaithar Ram, resident of village Parwalpur, P.S. Bheja, District- Madhubani
35. Saudagar Ram (now dead) son of Bunni Ram through his sons (i) Chhedi Ram, (ii) Mukho Ram, (iii) Sukhan Ram and (iv) Thako Ram, all resident of village Bhargama, P.S. Bheja, District- Madhubani
36. Maksudan Ram (now dead) son of Jagarnath Ram through his daughter (i) Sushila Devi, W/o Upendra Ram, Resident of village- resident of village Bhargama, P.O. Bhargama, P.S. Bheja, District- Madhubani
37. Agam Ram (Now dead) son of Raja jee Ram through his sons (i) Parmod Ram, (ii) Manoj Ram and (iii) Vinod Ram, all resident of village Bhargama, P.S. Bheja, District- Madhubani
38. Sarjug Sadai (now dead) son of Jitan Sadai, Heirs not known as to concerned address
39. Bhilayee Sadai son of Sukhay Sadai, resident of village & P.O. Bhargama, P.S. Bheja, District- Madhubani
40. Mostt. Anar (now dead) /w/o Latar Sadai through her son (i) Kari Sadai, resident of village and PO Bhargama, P.S. Bheja, District- Madhubani
41. Ram Prit Paswan, son of Nathuni Paswan Pramukh Madhepur Block and Dealer of Jan Vitran Pranali, resident of village & P.O. Bhargama, P.S. Bheja, District- Madhubani
42. Phaguni Sadai (now dead) w/o Nivat Sadai through her sons (i) Phani Sadai (ii) Ram Sharan Sadai (iii) Horil Sadai (iv) Shivjee Sadai (v) Shiv Kumar Sadai, all resident of village and P.O. Bhargama, P.S. Bheja, District- Madhubani
43. Baldeo Ram (now dead) son of Uchit Ram through his son (Sadhu Ram Engineer, Engineering service, Purnea Address not known in village –



Bhargama

44. Raghu Sadai (now dead) son of Rabbi Sadai through his sons (i) Binde Sadai and (ii) Arun Sadai, both resident of village Khorma Supaul, P.O. Ganeshpur, P.S. Supaul, District- Supaul
45. Adhik Lal Sadai, son of Jageshwar Sadai, resident of village and P.O. Bhargama, P.S. Bheja, District- Madhubani
46. Basdeo Paswan (now dead) son of Bahuri Paswan, deceased through his sons (i) Rajendra Paswan (ii) Yogendra Paswan, Resident of village and P.O. Bhargama, P.S. Bheja, District- Madhubani
47. Kari Paswan, son of Jibachh Paswan, resident of village & PO Bhargama, P.S. Bheja, District- Madhubani
48. Mahaveer Paswan (now dead) son of Jibachh Paswan, deceased now not resident of village and P.O. Bhargama, P.S. Bheja, District- Madhubani
49. The Additional Collector, Madhubani
50. The S.D.M. Jhanjharpur, District- Madhubani
51. The Anchal Adhikari Block/Anchal Madhepur, District- Madhubani
52. The Officer-in-charge, Police Station Bheja (Madhepur) District Madhubani PIN CODE 847408

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Satish Kumar

For the Respondent/s : Mr.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR

UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 23-06-2017 Having heard learned counsels for the parties, the delay in filing the appeal is condoned.

I.A. No. 4330 of 2016 stands disposed of.

On account of the fact that an order passed in Ceiling Case No. 32/1978-79 on 12.9.1990 was challenged after a period of more than 23 years, the learned writ court has refused to interfere in the matter.

Learned counsel for the appellant invites our attention to an interim order dated 5.3.2014 passed in CWJC No.



23963 of 2013, with regard to the right of the appellant.

However, the fact remains that the order was challenged after 23 years, during which period rights to various persons had accrued on account of the land being declared surplus and therefore, the writ Court has dismissed the writ petition and in doing so the writ Court has committed no error.

The appeal is dismissed.

(Rajendra Menon, CJ)

S.Pandey/-

(Anil Kumar Upadhyay, J)

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