

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2334 of 2016

In

Civil Writ Jurisdiction Case No. 17605 of 2012

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1. Rana Phuleshwar Singh, son of Late Som Narain Singh
2. Shyam Sundar Prasad Singh, son of Late Banshidhar Narain Singh Both
Resident of Village Jaipur P.S. Gurua District Gaya

.... Petitioner/s

Versus

1. The State of Bihar, through the Collector, Gaya
2. The District Magistrate, Gaya
3. The Sub Divisional Officer, Sherghaty, Gaya
4. The Land Reforms Deputy Collector, Sherghaty, Gaya
5. The Anchal Adhikari, Gurua, Gaya
6. The Circle Inspector, Gurua, Gaya
7. Halka Karamchari, Gurua, Gaya
8. Ram sharan Bhuiyan
9. Jageshwar Bhuiyan
10. Rajan Bhuiyan
11. Etwar Bhuiyan
12. Manik Chand Bhuiyan All 8 to 12 are sons of Sukhari Bhuiyan
13. Karu Bhuiyan son of Bishun Bhuiyan
14. Shiv Baran Bhuiyan son of Kail Bhuiyan
15. Jagdish Bhuiyan son of Lohari Bhuiyan
16. Ganauri Bhuiyan son of Ramdhari Bhuiyan
17. Kariman Bhuiyan son of Ramdhari Bhuiyan
18. Sukhlal Bhuiyan son of Janku Bhuiyan
19. Badri Bhuiyan son of Jagan Bhuiyanm
20. Fagu Bhuiyan
21. Chota Kal Bhuiyan
22. Ram Kishun Bhuiyan All 20 to 22 are sons of Badri Bhuiyan
23. Ram Kishun Bhuiyan S/o Bhodi Bhuiyan
24. Pachan Bhuiyan
25. Mosafir Bhuiyan
26. Jodhi Bhuiyan All 24 to 26 are sons of Bhodi Bhuiyan
27. Bhalu Mochi son of Dasai Mochi
28. Kuber Das son of Prayag Das
29. Malikchand Mochi son of Ganpati Chamar
30. Krit Mochi son of Ganpati Mochi
31. Munshi Mochi son of Janki Mochi
32. Ram Kishun Dushadh son of Gur Sahay Dusadh
33. Brichh Dushadh son of Chhatru Dusadh
34. Ram Ratan Dusadh son of Ramdhani Dusadh
35. Kardhani Dusadh son of Ram Charan Dushadh
36. Ram Nandan Das
37. Lakhan Das Both son of Banshi Das
38. Nanku Bhuiyan son of Dasai Bhuiyan
39. Sita Ram Das son of Banshi Das
40. Bilash Bhuiyan
41. Lal Bhuiyan Both son of Sarichen Bhuiyan



42. Chandradeo Bhuiyan son of Prabhu Bhuiyan
43. Suresh Bhuiyan son of Jitan Bhuiyan
44. Bali Bhuiyan son of Jitan Bhuiyan
45. Suresh Ravidas Son of Nanhak Ravidas
46. Jatu Ravidas Son of Nanhak Das
47. Sudeshi Bhuiyan son of Ganeshi Bhuiyan
48. Ram Chandar Das
49. Lakhon Das Both son of Banshi Das
50. Nanhkuy Bhuiyan son of Desai Bhuiyan
51. Sita Ram Das son of Banshi Das
52. Bilash Bhuiyan son of Sanchar Bhuiyan
53. Chandradeo Bhuiyan son of Prabhu Bhuiyan
54. Suresh Bhuiyan
55. Balu Bhuiyan Both son of Jiten Bhuiyan
56. Suresh Ravidas
57. Jatuh Ravidas Both son of Nanhak Ravidas
58. Sudeshi Bhuiyan son of Ganeshi Bhuiyan
59. Manki Bhuiyan son of Kail Bhuiyan
60. Krishna Bhuiyan son of Pachan Bhuiyan
61. Dhananjay Ravidas son of Suresh Ravidas
62. Nawal Kishore Das son of Ram Chandar Das
63. Ugra Das son of Banshi Das
64. Banshi Das Son of Bhalu Das
65. Nageshwar Bhuiyan son of Shiva Bhuiyan
66. Ganesh Das
67. Yogen Das Both son of Munshi Das
68. Budhan Bhuiyan son of Kail Bhuiyan
69. Dukhan Paswan son of Bigan Paswan
70. Dwarika Das son of Mungeshar Das
71. Banshi Choudhary son of Ratan Choudhary
72. Most. Dularia Pasi wife of Ratan Pashi
73. Bijay Pashi son of Mahabir Pashi
74. Nanhku Bhuiyan son of Ganauri Bhuiyan
75. Suresh Bhuiyan son of Kesho Bhuiyan
76. Sanjay Ravidas son of Jatu Ravidas
77. Binod Das son of Ram Chandar Das All respondent nos. 8 to 77 are Resident of village Jaipur, P.S. Gurua, P.O Phulwaria Baheri District- Gaya

.... Opp. Parties.

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Appearance :

For the Petitioner/s : Mr. Nand Kishore Prasad Sinha
For the Opp.Parties : AC to SC-4

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 11-01-2017

Heard Mr. Nand Kishore Prasad Sinha for the



petitioner and AC to SC-4 for the State.

The present application seeks restoration of C.W.J.C. 17605 of 2012 to its original file and number by recall of the order dated 29.11.2012 which reads as under:-

“ Nobody appears on behalf of the petitioners to press this application. Same is the case with the respondents.

The petitioner was directed to file supplementary affidavit to place on record all relevant documents relying whereon they claim right title and interest over the subject land. No such supplementary affidavit has been filed and is on record.

In that view of the matter, the application is dismissed for non prosecution.”

Having found the pleadings in the writ application deficient, the Court had granted time to the petitioners to file supplementary affidavit which was not filed when the said order was passed. Upon considering the submissions made by Mr. Sinha and the counsel for the State, the Court, in the facts and circumstances of the case, is not inclined to restore the application. The present application is dismissed.

Dismissal of the present application would not preclude the petitioners from approaching this Court afresh if the cause survives.

(Kishore Kumar Mandal, J)

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