

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5370 of 1990

=====

Smt. Madhuri Devi, wife of Sri. Indeshwar Prasad Singh, resident of village
Lilhaul Police station Singhia Distric – Samastipur.

.... Petitioner

Versus

1. Sri Deocharan Sharma son of Manohar Sharma, resident of village-
hasanpur Jitwarpur Police and District – Samastipur.
2. Sri. Ram Narayan Sharma son of Manohar Sharma, resident of village-
Tarawari Ghat, P.S. Kharahia Bazar, District-Purnea
3. Addl. Member Board of Revenue Bihar, Patna.
4. Addl. Collector Samastipur
5. Deputy Collector Land Reforms Samastipur

.... Respondents

=====

Appearance :

For the Petitioner/s : Mr. Nirmal Kumar, Adv.

For the Respondent/s : Mr. Jitendra Narain Sinha, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

5 28-09-2018 The writ petition was dismissed for non-prosecution on
08.12.2008. A restoration application arising from MJC. No. 3905
of 2014 filed on 09.10.2014 remained pending before this Court
until it was allowed by a Bench on 06.10.2017 but in the
meanwhile the records of the writ proceeding have been destroyed
as per Rules. The situation thus, as it stands, is that even though
the restoration application has been allowed but the writ
proceedings are missing.

In the circumstances aforementioned Mr. Nirmal Kumar,
learned Counsel for the petitioner prays for disposal of the present
proceeding to enable the petitioner to pursue his remedy before the
Bihar Land Tribunal under section 9 of the Bihar Land Tribunal



Act, 2009, as according to Mr. Nirmal Kumar, the order put to question before this Court is entertainable before the Tribunal.

Upholding the submissions advanced by Mr. Nirmal Kumar and allowing liberty to the petitioner to pursue his cause before the appropriate forum, the writ petition is disposed of.

(Jyoti Saran, J)

Archana/Surendra

U			
---	--	--	--

