

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14406 of 2017

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Sri Kumar Jha S/o Late Jayanand Jha Resident of Village - Rambhadrapur,
P.O. Anandpur, P.S. - Bahadurpur, District - Darbhanga.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Revenue Department, Patna.
2. The Divisional Commissioner, Darbhanga Division, Darbhanga.
3. The District Magistrate, Darbhanga.
4. The Additional District Magistrate, Darbhanga.
5. The Deputy Collector Land & Revenue, Darbhanga.
6. Mana Jha son of Late Bachhi Jha Resident of Village - Rambhadrapur, P.O. Anandpur, P.S. - Bahadurpur, District - Darbhanga.
7. Sushila Devi W/o Late Basant Jha
8. Pradeep Kumar Jha S/o Late Basant Jha
9. Bachhan Jha S/o Late Basant Jha
10. Adarsh Kumar Jha S/o Late Basant Jha
11. Saroj Kumar Jha S/o Late Basant Jha Resp. No. 7 to 11, all residents of Village Rambhadrapur, Post - Anandpur, P.S. Bahadurpur, District - Darbhanga.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Ugranath Mallik
For the Respondent/s : Mr. Rishi Raj Singh -Sc19

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 03-04-2018 Heard both sides.

The petitioner has filed this writ petition against the order dated 21.02.2017 passed in Land Ceiling Revision Case No.215/2012 by which the learned Divisional Commissioner, Darbhanga dismissed the Land Ceiling Revision Case No.215/2012 on the ground that requisition for issuance of notice on O.P. No.2 to 7 was not submitted and when the restoration petition was filed for restoring Land Ceiling Revision Case



No.215/2012, the same was dismissed on the ground that the restoration petition was filed after 87 days. The period of filing restoration petition was only 30 days.

It appears that the learned Divisional Commissioner, Darbhanga has taken very technical and casual approach in dismissing the restoration petition.

I am of the view that the order is not legal and in accordance with law. Accordingly, the order dated 21.02.2017 is set aside. The restoration petition is allowed.

The Land Ceiling Revision Case No.215/2012 is restored to its original file and the Divisional Commissioner, Darbhanga is directed to dispose of the Land Ceiling Revision Case No.215/2012 on merit, in accordance with law.

This writ petition is accordingly allowed.

(Prabhat Kumar Jha, J)

Amit/-

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