

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18135 of 2017

Sri Kumar Jha

... .. Petitioner/s

Versus

The State Of Bihar & Ors

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ugranath Mallik

For the Respondent/s : Mr. Rishi Raj Sinha -Sc19

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 04-12-2018 Heard both sides.

The petitioner has filed this writ petition against the order dated 21.02.2017 passed in Land Ceiling Revision case No. 214 of 2012 by which the learned Divisional Commissioner, Darbhanga dismissed the Land Ceiling Revision case No. 214 of 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. 214 of 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. 214 of 2012 is restored to its original file and the Divisional Commissioner, Darbhanga is directed to dispose of the Land Ceiling Revision case No. 214 of 2012 on merit, in accordance with law.

The writ petition is, accordingly, allowed.

(Prabhat Kumar Jha, J)

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