

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.13390 of 2014**

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Ratan Jagwani, son of Late M.K. Jagwani, Resident of Gyani Bhawan, East  
Boring Canal Road, P.S. Buddha Colony, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Bihar Land Tribunal, Patna, through its Chairman
3. The Registrar, Bihar Land Tribunal, Patna
4. The Divisional Commissioner, Patna
5. The DCLR, Danapur, Patna
6. Vijay Kumar, son of Sri Bali Ram Prasad, Managing Partner, M/S Maa  
Developers Firm Office, 101, B.P. Complex, 1st Floor, Kadamkuan, Patna

... .. Respondent/s

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**Appearance :**

|                      |   |                                                                         |
|----------------------|---|-------------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Subodh Kumar Jha, Adv.                                              |
| For the Resp. No.6   | : | Mr. Shashi Shekhar Dwivedi, Sr. Adv.<br>Mr. Yogendra Prasad Sinha, Adv. |
| For the State        | : | Mr. Gyan Prakash Ojha, GA-7<br>Mr. Gopal Krishna, AC to GA-7            |

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**ORAL JUDGMENT**

**Date : 09-07-2018**

Heard learned counsel for the petitioner and counsel for  
the State.

In this case, the petitioner is challenging the order dated  
21.7.2017 passed in B.L.T. Case no. 30 of 2014 by Mr. K.P.  
Ramaiah Member Administrative by which the prayer of the  
petitioner of B.L.T. Case No. 30 of 2014 was allowed, rejecting  
the petition on maintainability without considering the fact that  
none of the parties has raised the question of maintainability.

Both the parties herein are in agreement that the matter  
should be again remanded to the B.L.T. as the decision has not  
been taken on the merit, lot of allegation and counter allegation



has been made against the Member which this Court is not dealing with.

Accordingly, the order dated 21.07.2014 passed in B.L.T. Case No. 30 of 2014 is quashed and the matter is remanded back with a direction that this case should be placed before the Chairman, B.L.T. who will hear and decide the case in accordance with law within a period of three months from the date of receipt/production of a copy of this order.

With the aforementioned observation and direction, this writ application is allowed to the extent indicated above.

**(Shivaji Pandey, J)**

rishi/-

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| AFR/NAFR          | NAFR       |
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