

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20323 of 2016

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Dharamshila Pandey Wife of Sri Mahendra Pandey, resident of village P.O.
Asha Padari, P.S. Simari, District - Buxar Bihar

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna
2. The District Magistrate, Buxar
3. The Deputy Collector Land Reforms, Dumaron,
4. The Treasury Officer, Buxar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajiv Ranjan Kr. Pandey
For the Respondent/s : Mr.Raj Kishore Roy- Gp18

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 01-08-2019

Re : I.A. no. 1 of 2019

The present interlocutory application has been filed for substituting the legal heirs of the sole petitioner who has died on 07.04.2019.

I.A. no. 01 of 2019 is allowed and the registry is directed to substitute the deceased- petitioner with his legal heirs, details whereof has been mentioned in paragraph no. 3 of the present interlocutory application.

Re : CWJC no. 20323 of 2016

The present writ petition has been filed for refund of a sum Rs. 44,000/- with interest which the petitioner has deposited through challan no. 46 dated 23.11.2003 in the



District Treasury, Buxar under the provisions of Rule 16(3) of Ceiling Act in connection with Pre-emption case no. 11 of 2003-04.

The learned counsel for the respondent has submitted that the Deputy Collector, Land Reforms, Dumraon has written a letter dated 02.07.2019 to the legal heirs of the deceased-petitioner for producing the dependency certificate and No Objection Certificate, since the petitioner has died, for the purposes of refund of the amount.

Having regard to the facts and circumstances of the case, the present writ petition stands disposed off with liberty to the substituted petitioners to produce the aforesaid documents before the Deputy Collector, Land Reforms, Dumraon, whereupon the amount in question, required to be refunded, shall be refunded to the substituted petitioners within a period of four weeks of receipt of the necessary documents.

The present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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