

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2512 of 2019

Raja Prasad, son of Late Kapan Bhagat, Resident of Village- Majhaulia, P.S.-
Minapur, District- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
 2. Director of Consolidation, Bihar, Patna
 3. Dy. Director of Consolidation, Muzaffarpur
 4. Consolidation Officer, Minapur, P.S. and Anchal- Minapur, District-
Muzaffarpur
 5. Madan Bhagat
 6. Bisaser Bhagat
- Respondent nos. 5 and 6 are sons of late Thaga Bhagat
7. Navrangi Bhagat, son of Ramdeo Bhagat (Dead)
 8. Rejesh Bhagat, son of late Sukhdeo Bhagat
 9. Kishundeo Bhagat
 10. Raj Mangal Bhagat
- Respondent nos. 9 and 10 are sons of Late Chalitra Bhagat
All are residents of village- Majhaulia, P.S.- Minapur, District- Muzaffarpur

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar
For the Respondent/s : Mr. Rishi Raj Sinha, SC-19
Ms. Archana Prasad, AC to SC-19

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 11-02-2019 Heard learned Counsel for the parties concerned.

The petitioner is seeking to question the order, dated
31.10.1991, passed, in Consolidation Appeal No. 19 of 1991, by
the Deputy Director, Chakbandi, Muzaffarpur. The said order
has been passed under Section 10(6) of the Bihar Consolidation
of Holdings and Prevention of Fragmentation Act, 1956.

The petitioner is the son of the appellant, Kapan



Bhagat (deceased), in Consolidation Appeal No. 19 of 1991. The explanation which has been submitted in the present writ application for not approaching the revisional authority or this Court immediately after passing of the impugned order has been given in paragraphs 11 and 12, which read thus:-

“11. That the petitioner’s father was an accused in murder case as he was absconding and taking advantage of the case Khilawan Bhagat, got Khata No. 34, recorded in his name and Khata No. 16 and 54, recorded in the name of Kapan Bhagat, and Chalitra Bhagat.

12. That the father of the petitioner unfortunately was convicted in the aforesaid murder case and was convicted for an offence under Section 302 I.P.C. and remained in jail for a pretty long time and died in the year 1998.”

The statement is completely vague. There is no justifiable explanation for delay of more than 27 years in approaching this Court against the impugned order.

I am of the opinion that father of the petitioner, by not choosing to question the order of the Deputy Director, accepted the said order. I find it difficult to entertain this application challenging the impugned order by the son of the appellant in Consolidation Appeal No. 19 of 1991, after so much of delay. I do not find any merit in this writ application for the aforesaid



reasons.

This application is, accordingly, dismissed.

(Chakradhari Sharan Singh, J.)

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