

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6842 of 2019

1. Sarita Devi, Wife of Sudama Prasad Kharwar, Bihar
2. Uma Shankar Prasad, Residents of Village-Manikpur, Police Station-Ekma, District-Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar, Saran, Saran at Chapra.
2. The Commissioner, Saran Division, Saran at Chapra
3. The Additional Collector, Saran, Saran at Chapra
4. The Deputy Collector of Land Reforms, Chapra.
5. Daroga Prasad Kharwar, son of late Rameshwar Prasad Kharwar
6. Baijnath Singh, son of late Motiram Singh
7. Bidya Sagar Singh, son of Ramjee Singh
8. Satyadeo Ray, son of Laxman Ray
All are residents of Village-Manikpur, Police Station-Ekma, District-Saran at Chapra

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Narendra Kumar
For the Respondent/s : Mr. Rakesh Ranjan, AC to AAG-12

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 08-04-2019 Heard learned Counsel for the parties concerned.

This writ application has been filed seeking quashing of the order, dated 17.09.2012, passed in Land Ceiling (Pre-emption) Revision No. 453 of 2007, passed by the Commissioner, Saran Division, Saran, whereby he has dismissed the revision application of the petitioners.

The petitioners are purchasers in a pre-emption proceeding. The right of pre-emption, under Section 16 (3) of



the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961, as the provision stood before coming into force of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) (Amendment) Act, 2019, was allowed and affirmed up to the level of Commissioner by the impugned order, dated 17.09.2012.

I do not find any ground stated in the writ application, explaining delay of nearly six and a half years in challenging the order passed in 2012 itself.

This writ application, in my view, deserves to be dismissed on the ground of delay and laches alone, since the orders passed in the pre-emption case had attained finality in the year 2012 itself.

This application is, thus, dismissed.

(Chakradhari Sharan Singh, J.)

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