

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9258 of 2013

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Ramashankar Prasad Barnawal, aged about 75 years, S/o Late Bindeshwari Lal, resident of village Guthani, P.S. Guthani, Distt. Siwan

... .. Petitioner/s

Versus

1. The State Of Bihar through its Principal Secretary, Revenue & Land Reforms Department, Govt. of Bihar'
2. The Principal Secretary, Revenue and Land Reforms, Bihar, Patna
3. The Collector, Siwan
4. The Circle Officer, Guthani Circle, District-Siwan
5. The Deputy Collector, Land Reforms, Siwan
6. Sri Awadesh Pd. Gupta, S/o Late Raam Narayan Gupta, Resident of Village- Guthani, P.S. Guthani, Dist. Siwan

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Pathak
For the Respondent/s : Mr. Girija Shankar Pd

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 22-04-2019 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The grievance of the petitioner in the instant case is rejection of appeal by the Commissioner on the ground of delay in filing the appeal.

Since the appeal was not decided on merit of the case and after hearing the parties, the Court is of the view that the matter needs consideration by the Commissioner, Saran Division, Chhapra in Bihar Land Dispute Resolution Appeal No. 334 of 2012.

Accordingly, the writ petition is allowed the order



passed by the Commissioner dated 29.1.2013 is set aside.

The matter is remitted back to the Commissioner, Saran Division, Chhapra to decide the appeal on its own merit after condoning the delay in filing the appeal and take decision on merit of the appeal within a period of four months from the date of receipt/production of a copy of this order.

(Anil Kumar Upadhyay, J)

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