

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14916 of 2019

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Maharani Adhirani Kamsundari W/o late Maharajdhiraj, Dr. Sir Kameshwar Singh, R/o Kalyani Niwas, Kameshwar Nagar, Post- Lalbagh,P.S. LNMU Campus, Town and District- Darbhanga 846004, Bihar,

... .. Petitioner/s

Versus

1. The State of Bihar through the Commissioner, Darbhanga.
2. The District Collector, Darbhanga, Bihar.
3. The Additional District Collector, Darbhanga, Bihar.
4. The Anchal Adhikari, Darbhanga, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner

Mr.Arbind Kumar Jha

Ms. Jyoti Prakash

For the Respondent/s :

Mr.Rishi Raj Sinha (SC-19)

Mr. Birendra Pd. Singh, AC to SC 19

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 25-07-2019 Heard the learned counsel for the parties.

An order dated 08.03.2018, passed by the Commissioner, Darbhanga Division, Darbhanga in LCR No.12 of 2017, has been put to challenge in the present writ application.

The petitioner has statutory remedy of appeal under Section 9 of the Bihar Land Tribunal Act, 2009, against impugned order.

However, if any application is filed before the Bihar Land Tribunal (for short 'the Tribunal'), against the order dated 08.03.2018, passed by the Divisional Commissioner,



Darbhanga, the same shall be obviously time-barred, since such application is to be filed within 90 days.

Considering the facts and circumstances of the case, this writ application is disposed of with a liberty to the petitioner to prefer an application before the Tribunal against the impugned order, with an application for condonation of delay.

If any application for condonation of delay is filed before the Tribunal, the Court expects that the Tribunal shall consider the same liberally, keeping in mind the fact that the petitioner, after the impugned order was passed by the Commissioner, Darbhanga Division, was advised to file the present writ application, instead of making an application before the Tribunal.

(Chakradhari Sharan Singh, J)

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