

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16271 of 2019

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Anil Kumar Yadav S/o- Vikrma Prasad Yadav, R/o- Village- Laukaha, P.S.-
Kaurihar, District- East Champaran, Bihar- 845305.

... .. Petitioner/s

Versus

1. The State of Bihar .
2. The Principal Secretary, Revenue and Land Reforms, Govt. of Bihar, Old Secretariat, Patna.
3. The Chairman, Board of Revenue, Govt. of Bihar, Old Secretariat, Patna.
4. The Collector, East Champaran, Motihari.
5. The Additional Collector, East Champaran, Motihari.
6. The Deputy Collector, Land Reforms, Raxaul, East Champaran.
7. The Manager, Bettiah Estate, Bettiah, West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Anshuman Singh
	:	Mr.Rakesh Kumar No.1
For the Respondent/s	:	Mr.Fakriddin Ahmad Ali (Aag12)

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 31-01-2020 The present writ application is filed for direction to the State authorities concerned to immediately intervene in the pending proceeding of the execution case no. 02 of 2016 (Smt. Gayanti Devi and another v. Sheo Kr. Agrawal and another) arising out of judgment and order dated 07.11.1989, passed in Title Suit (Partition Suit (T.S./P.S.) no. 168 of 1978/ 59 of 1987 (Sheo Kr. Agrawal and others v. Shri Ishwari Prasad and others) by the learned Sub-Judge III, Motihari and final decree on



12.05.2015 delivered on 12.06.2015 by learned Sub-Judge IV, Motihari.

Learned counsel for the petitioner fairly states that in view of the stand taken by the State in the counter affidavit dated 10.01.2020 filed on behalf of respondents no. 4 to 6 and more specifically, para 9 thereof, the present petition can be disposed off with the direction to the authorities to have the matter adjudicated within a time frame at the earliest.

Para 9 of the counter affidavit dated 10.01.2020 filed on behalf of respondents no. 4 to 6 reads as under :-

“ That the matter of Execution case concerned has been brought in to the notice of the State of Bihar. The State of Bihar will take proper step in the matter under Order XXI C.P.C. to protect its interest in the Court concerned.”

Learned counsel for the State, states that the State shall take all steps in accordance with law and ensure that the matter is not unnecessarily dragged and subject to the parties cooperating a request be made to the court below for expeditious disposal of the proceedings.

We only hope and expect the court to decide all the proceedings at the earliest and preferably within a period of nine months. It is clarified that we have not expressed any opinion on the merits.



The present petition stands disposed of in the
aforesaid terms.

(Sanjay Karol, CJ)

(Mohit Kumar Shah, J)

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