

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.11098 of 1997**

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Mithilesh Kumar Singh and Ors

... .. Petitioner/s

Versus

The State Of Bihar and Ors

... .. Respondent/s

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**Appearance :**

For the Petitioners : Mr. Kamal Nayan Chaubey, Sr. Advocate.  
Mr. Ambuj Nayan Chaubey, Advocate.  
For the Respondents : Mr. GP-2

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

16 09-12-2021

Heard learned counsel for the parties.

This writ petition has been preferred for the following  
relief/reliefs:

- (a) An appropriate order/direction/declaration be issued protecting the exclusive rights of the petitioners over the Mela in question;
- (b) To issue an appropriate writ including a writ in nature of Mandamus commanding the respondents, their subordinates and agents to interfere from interfering with the right, title, interest and possession of the petitioners over the land in question and directing the respondent 1<sup>st</sup> set to prepare the records accordingly and to quash the orders passed by respondent nos.2 and 4 as contained in Annexures-6 and 6/1;
- (c) To hold and declare that the order passed in C.W.J.C. No.713 of 1986 behind the back of the petitioners is not applicable against them and to recall/review the same;
- (d) To grant such relief/s as the petitioners are found entitled to in the facts and circumstances of the case.



After hearing the parties, this Court is of the opinion that this matter can well be adjudicated by the Bihar Land Tribunal (hereinafter in short referred to as the 'Tribunal').

Accordingly, in view of proviso to Section 15 of the Bihar Land Tribunal Act, 2009, the Registry is directed to transmit the record of this case to the Tribunal forthwith.

However, considering the fact that the case was pending before this Court since long, it is expected that the Tribunal will hear and dispose of the case within a period of nine months from the date of receipt of record of this case after giving proper notice to all the parties concerned, including the petitioners.

With the aforesaid observation and direction, this writ petition stands disposed of.

**(Anjani Kumar Sharan, J)**

Trivedi/-

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