

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4944 of 1998

Chandeshwar Prasad Singh

... .. Petitioner/s

Versus

The State Of Bihar and Ors

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 4961 of 1998

Chandeshwar Prasad Singh

... .. Petitioner/s

Versus

The State Of Bihar and Ors

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 5028 of 1998

Chandeshwar Prasad Singh

... .. Petitioner/s

Versus

The State Of Bihar and Ors

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 4944 of 1998)

For the Petitioner/s : Mr.Lakshmi Kant Tiwary

For the Respondent/s : Mr.Prabhakar Singh, Gp27

(In Civil Writ Jurisdiction Case No. 4961 of 1998)

For the Petitioner/s : Mr.Lakshmi Kant Tiwary

For the Respondent/s : Mr. Prabhakar Singh, Gp27

(In Civil Writ Jurisdiction Case No. 5028 of 1998)

For the Petitioner/s : Mr.Lakshmi Kant Tiwary

For the Respondent/s : Mr. Prabhakar Singh, Gp27

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

14. 18-11-2021

I.A. No. 4/2021 (in C.W.J.C. No. 4944/1998)

I.A. No. 4/2021 (in C.W.J.C. No. 4961/1998)

I.A. No. 4/2021 (in C.W.J.C. No. 5028/1998)

The aforesaid interlocutory applications have been
filed for substitution of legal heirs / representatives after
deleting the name of sole petitioner, who died on 16.06.2021.



Name of the legal heirs / representatives has been mentioned in paragraph – 2 of each interlocutory application.

In view of aforesaid facts and circumstances, the interlocutory applications are allowed. Let the name of legal heirs / representatives of deceased petitioner, as mentioned in paragraph – 2 of the interlocutory applications, be substituted after expunging the name of sole petitioner from the record of all the aforesaid writ petitions.

C.W.J.C. No. 4944/1998

C.W.J.C. No. 4961/1998

C.W.J.C. No. 5028/1998

Heard learned counsel for the petitioners and Sri Prabhakar Singh, learned Govt. Pleader – 27.

The writ applications have been filed for quashing of order dated 26.08.1988 passed by Respondent no. 4 / the Consolidation Officer, Hajipur, Vaishali (Annexure – 1) and order dated 16.08.1994 passed by Respondent no. 2 / the Joint Director of Consolidation, Muzaffarpur (Annexure - 4) under Section 35 of the Bihar Consolidation of Holdings and Prevention of Fragmentation Act, 1956, which is a schedule Act, under Section 9 of the Bihar Land Tribunal Act, 2009. This Court is of the opinion that this matter can well be adjudicated by 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 all the aforesaid cases to the Tribunal forthwith.

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

(Prabhat Kumar Singh, J.)

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