

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1206 of 1996

Miss Divya Kumari@ Niki, Minor adopted d/o of late Moti Nand Upadhyaya,
Resident of Village- Bhaluha, P.S. Itarhi, at Present Sikraul, Distt. Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar, Bihar
2. The Deputy Director of Consolidation (HQR), 4th Floor, Co-operative Land Development Bank, Buddha Marg, Patna.
3. Sudarshan Ojha Son of Kedar Ojha, Resident of Village and P.O.- Kharahataur, Via- Simari, P.S. Simari, Distt. Buxar.
4. Bipin Bihari Ojha, Son of Ram Kumar Ojha, Resident of Village and P.O.- Kharahataur, Via- Simari, P.S. Simari, Distt. Buxar.
5. Krishna Bihari Ojha, Son of Ram Kumar Ojha, Resident of Village and P.O.- Kharahataur, Via- Simari, P.S. Simari, Distt. Buxar. Posted as Constable In Bihar Military Police at Kadauna, Harnichatti, P.O. Kadauna, Distt. Jehanabad.
6. Krishna Kant Mishra, Son of late Ram Narain Mishra, resident of Village- Tripurwa, P.O. Basudhar, and Anchal- Itarhi, Distt. Buxar.
7. Bhuneshwar Mishra, Son of late Ram Narain Mishra, resident of Village- Tripurwa, P.O. Basudhar, and Anchal- Itarhi, Distt. Buxar.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 5217 of 1998

1. KRISHNA KANT MISHRA Son of late Ram Narain Mishra, Resident of Village- Tirpurwa, P.O. Basudhar, P.S. and Anchal- Itarhi, District- Buxar.
2. Lallan Mishra, Son of late Ram Narain Mishra, Resident of Village- Tirpurwa, P.O. Basudhar, P.S. and Anchal- Itarhi, District- Buxar.
3. Tarkeshwar Mishra, Son of late Ram Narain Mishra, Resident of Village- Tirpurwa, P.O. Basudhar, P.S. and Anchal- Itarhi, District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar, Bihar
2. The Joint Director of Consolidation, Bihar, Patna.
3. The Deputy Director of Consolidation , Arrah.
4. The Consolidation Officer, Itarhi.
- 5.1. Sudarshan Ojha, son of Kedar Ojha, Resident of Village- Kharhatanr, P.S. Simari, Distt. Buxar.

... .. Respondent/s



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Appearance :

(In Civil Writ Jurisdiction Case No. 1206 of 1996)

For the Petitioner/s : Mr.Shree Kant Pandeya I

For the Respondent/s : Mr.Gp2

(In Civil Writ Jurisdiction Case No. 5217 of 1998)

For the Petitioner/s : Mr.Brij Mohan Kumar Singh

For the Respondent/s : Mr.Gp2

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

15 25-11-2021 Heard learned counsel for the parties.

CWJC No.1206 of 1996 has been filed for quashing of order dated 08.12.1995, passed by respondent no.2 in Revision Case No.264 of 1995, as contained in Annexure-5 and CWJC No.5217 of 1998 has been filed for quashing of order dated 16.08.1994, passed by the Joint Director Consolidation, H.Q., Patna 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 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.

(Anjani Kumar Sharan, J.)

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