

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 6658 of 2020

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Md. Irfan Khan, S/o Enamul Haque Khan, Resident of Village - Maricha Ram, P.S.- Sarai, District Vaishali at Hajipur.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms, Government of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms, Government of Bihar, Patna.
3. The Deputy Secretary, Revenue and Land Reforms, Government of Bihar, Patna.
4. The Collector, Vaishali at Hajipur.
5. The Additional Collector, Vaishali at Hajipur.
6. The Deputy Collector, Land Reforms, Hajipur, District- Vaishali.
7. The Anchal Adhikari, Bhagawanpur Anchal, District - Vaishali at Hajipur.
8. Safina Khanam, W/o Late Wasi Ahmad Khan, Resident of Village- Mohmadabad, P.S. and P.O.- Sarai, District- Vaishali at Hajipur.
9. Nafisa Khanam, W/o Motiur Rahman, Resident of Village- Salimbad, Fulhara, P.O.- Izra, P.S. Sadar Hajipur, District- Vaishali at Hajipur, Pin

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Bal Bhushan Choudhary, Advocate
For the Respondent/s : Mr. Raj Kishore Roy (GP-18)

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 21-06-2022

Heard learned counsel for the parties.

By way of this writ petition, the petitioner has
prayed for the following reliefs:-

(i) That order dated 12.12.2019 passed by Mr. R.P. Sharma, the learned Member (Judicial), Bihar Land Tribunal, Patna, in B.L.T. Case No. 950 of 2016 upholding the order dated 03.09.2016 passed by the learned Additional Collector, Vaishali at Hajipur in Mutation Revision Case No. R199 of 2012-13/202 of



2013-14 by which learned Additional Collector allowed the Revision Case and set aside the order dated 05.1.2012 passed by Deputy Collector Land Reforms, Hajipur in Mutation Appeal Case No. 106 of 2012-13.

(ii) The operation of the impugned order dated 12.12.2019 be stayed till the final disposal of the present writ application.

(iii) The Respondent no.7 be prohibited to issue rent receipts in favour of Respondent 2nd set on the basis of order dated 03.09.2016 passed by the learned Additional Collector, Vaishali at Hajipur in above mentioned Revision Case till final disposal of the present writ application.

(iv) The respondents No. 8 & 9 be restrained from executing any deed of transfer in favour of any person in respect of the lands under mutation being subject matter of said Revision Case and said Mutation Appeal during the pendency of present writ case.”

It is an admitted fact that the order dated 12.12.2019 passed by the Bihar Land Tribunal, Patna, in B.L.T. Case No. 950 of 2016 is a non-speaking order. Any order which contains no reason is no order in the eye of law.

Sri Raj Kishore Roy, learned counsel for the State is unable to defend the impugned order.

In view of the above, the order dated 12.12.2019 passed by the Bihar Land Tribunal, Patna, in B.L.T. Case No. 950 of 2016 is set aside. The matter is remitted back to the Bihar



Land Tribunal, Patna, to decide the matter afresh in accordance with law by a reasoned order after considering the submissions of the parties and the materials available on record within a period of six months from the date of receipt/production of a copy of this order.

With the aforesaid observations and directions, this writ petition is allowed.

(Sandeep Kumar, J)

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