

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11954 of 2015

Govind Sharan Mehta, Son of Ram Sharan Mehta, Resident of Mohalla- Tulsi
Mandi, P.S.- Alamganj, District- Patna

... .. Petitioner/s

Versus

1. The State Of Bihar through the District Magistrate, Patna.
2. The District Magistrate, Patna
3. The Additional District Magistrate, Revenue, Patna
4. The Deputy Collector, Land Reforms Patna City
5. The Circle Officer, Patna Sadar
6. Dr. Minakshi Swaraj, Wife of Late Binay Mohan Mishra, Resident of House of Rajesh Bhagat, Near Town Hall, Aliganj, District- Banka
7. Smt. Kanchan Mala, Wife of Dr. Rajiv Bhushan, REsident of C/o S.S. Chauhan, Flat No. 259A-A, first floor, Gali No. 7, Pandav Nagar, Mayur Vihar, Phase- 1 Delhi
8. Sanjay Kumar Choudhary son of Late Saryug Prasad Choudhary, Resident of Mohalla- Bakarganj, P.S.- Purbahar, District- Patna. At present residing C/o Rewati Raman Mishra, West of Palace Kunj, Bihari Kigali, Dumaraon, District- Buxar
9. Saurav Kumar, Son of Late Saryung Prasad Choudhary, Resident of C/O J.N. Prasad, Prasad Flour Mill Road, Behind New A.C. Colony, Doranda, Ranchi Jharkhand

... .. Respondent/s

Appearance :

For the Petitioner : Mr. Sanjeet Kumar, Adv.
For the State : Mr. Dinesh Maharaj, AC to AAG-11

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 14-12-2022 Writ petition has been filed for the following relief:-

*“That the present writ application is being
filed for quashing of order dated 30.04.2015
passed in BLT Case No. 169 of 2014 (Dr.
Minakshi Swaraj Versus The State of Bihar and
Others) passed by the Bihar Land Tribunal,
Patna (hereinafter referred as learned*



Tribunal) whereby the application filed by the private respondent no. 6 has been allowed and order dated 15.10.2013 passed in Jamabandi Case No. 84 of 2012-13 passed by the learned Collector, Patna has been set aside. The learned Tribunal further gave liberty to the parties to get their dispute resolved by approaching the competent Civil Court without appreciating that the right, title, interest or possession over the land in question has already been decided by the competent Civil Court.

The private respondent no. 6 had filed the aforesaid case before the learned tribunal for setting aside and ex-parte order dated 30.09.2011 passed in Jamabandi cancellation case no. 30 of 2010-11 (Govind Sharan Mehta Vs Smt. Minakshy Swaraj) by the learned court of D.C.L.R. Patna City and also against an order dated 15.10.2013 passed in Jamabandi Cancellation Case No. 84 of 2012-13 passed by the learned court of District Magistrate, Patna.”

Learned counsel for the petitioner submits that in view of demise of the writ petitioner subsequent to filing of the case, a substitution application bearing I.A No. 9778 of 2015 has been filed seeking substitution of the legal heirs in place of the original writ petitioner. The substitution application is allowed



without objection.

Learned counsel for the petitioner submits that the petitioner would be availing civil remedies in appropriate jurisdiction in accordance with law.

Accordingly the writ petition is disposed of.

(Madhuresh Prasad, J)

Raj kishore/-

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