

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.469 of 2019
In
Civil Writ Jurisdiction Case No.18285 of 2016

Ratni Devi W/o Jagdish Sahu Resident of Hajipur, Ward No. 17, Khagaria,
P.O. District-Khagaria

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. The District Magistrate Khagaria
3. The Deputy Collector Land Reforms Department, Khagaria (D.C.L.R.)
4. The Circle Officer Khagaria

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Shekhar Kumar Singh, Adv.
For the Respondent/s : Mr. Ashif Kalim

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
and
HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 10-11-2022

Heard Mr. Shekhar Kumar Singh, learned counsel

for the appellant and Mr. Ashif Kalim for the State.

The appellant stands aggrieved by the order passed
by the Deputy Collector, Land Reforms, Khagaria in Jamabandi
Cancellation Case No. 1/1987-88 which was passed on
02.08.1988.



The case of the appellant that he was never noticed before the cancellation of Jamabandi was repelled by the learned Single Judge on the sole ground that an order passed in the 1988 was sought to be challenged in the year 2016.

The contention of the appellant before the learned Single Judge that he had come to know about the order only in the year 2014 was not believed for the reason that the appellant was found to have obtained the certified copy of the order on 12.08.1988.

Apart from this, after having gone thorough the order dated 02.08.1988, it appears that the Ex-Jamindar had wrongly settled the land in favour of some persons, who ultimately had settled it in favour of the appellant. The land has been shown in the revenue record as a public land which could not have been settled by any person.

For these reasons viz. an inordinate delay in approaching this Court and the explanation offered by the petitioner for explaining such delay having been rejected and there being no right of Ex-Jamindar to ever settle the government land in favour of any person, we are not inclined



to interfere with the order by which the appellant has been
non-suited on the ground of delay.

The appeal is dismissed.

(Ashutosh Kumar, J)

(Nawneet Kumar Pandey, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	14.11.2022
Transmission Date	

