

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.395 of 2022

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Prem Prakash Chandan Son of Late Bhuvaneshwar Kunwar resident of
Village- Chornia, P.O.- Chiraila, P.S.- Gaighat, Distt- Muzaffarpur- 843118.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Collector, Muzaffarpur
3. C.O. Gaighat, Muzaffarpur
4. D.C.L.R. Muzaffarpur East
5. Late Rampari Devi wife of Late Rambilash Rai xxx
6. Rakesh Singh Son of Late Kapildeo Singh xxx
7. Sunil Singh Son of Late Kapildeo Singh xxx
8. Bimla Deo Singh Son of Late Dineshwar Singh xxx
9. Jagatbir Singh Son of Late Dineshwar Singh xxx

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Abhaykr. Sinha Kundan, Adv.
For the Respondent/s : Mr. Raj Kishore Roy (Gp18)

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 31-03-2022 Heard the parties.

The case is being taken up from defect side.

Learned counsel for the petitioner is directed to
submit the original petition alongwith attested affidavits and
also remove all the defects pointed out by the Registry within
two weeks from today.

Admittedly, the petitioner by way of this writ petition
is assailing the order dated 26.12.2017, whereby the properties
were found to be in possession and mutation was directed to be



done in favour of respondent 2nd party 5 to 9. The petitioner, by way of this writ petition prays for commanding the respondents to mutate the name of the petitioner and his borther in relation to the property in question and set aside the order dated 26.12.2017.

The order passed by the D.C.LR. is appealable before the Bihar Land Tribunal. However, the petitioner did not choose to file an appeal against the said award. Almost five years have lapsed, this Court would not therefore, grant indulgence to the petitioner for now filing of the appeal before the Bihar Land Tribunal as it would be beyond limitation. More so, as even before the DCLR, the petitioner filed an appeal belatedly.

Keeping in view thereto, no case is made out to directly entertain an order passed by the DCLR after period of almost five years.

Accordingly, the writ petition is dismissed.

(Sanjeev Prakash Sharma, J)

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