

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7069 of 2018

1(i). Akhileshwar Narain Singh
(ii). Amareshwar Narain Singh
both sons of Late Mosmat Sonia Devi and Late Birendra Narain Singh
(father), residents of Village- Bakasama, P.S.- Goraul, District- Vaishali.
... .. Petitioner/s

Versus

1. The State of Bihar
 2. The Chairman, Bihar Land Tribunal, Patna.
 3. The Director, Consolidation, Bihar, Patna.
 4. The Joint Director Consolidation Head Quarter, Bihar, Patna.
 5. Rabindra Prasad Singh, son of Late Deo Nandan Singh, resident of Village- Bakasama, P.S.- Goraul, District- Vaishali Bihar.
- Respondent/s

Appearance :

For the Petitioner/s : Mr. Nirmal Kumar Shrivastava, Advocate
For the Respondent/s : Mr. Dhurjati Kumar Prasad, GP 14

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 15-05-2023

Re: I.A. No. 1 of 2020

This application has been filed for substitution of the legal heirs of the petitioner who is said to have died during the pendency of this application. The description of the heirs of the petitioner to be substituted has been given in paragraph 4 of this application.

Considering the facts and circumstances, I.A. No. 1 of 2020 is allowed. Accordingly, let the name of the petitioner be struck off from the cause title of the writ petition and names of his legal heirs/ representatives as mentioned in paragraph 4 of this application be substituted.



The present writ application has been filed against the order of the Bihar Land Tribunal, whereby the Tribunal has affirmed an order passed by the Joint Director, Consolidation restoring the proceeding before the Joint Director which was dismissed for default.

Learned counsel appearing on behalf of the petitioner has submitted that the restoration was allowed six years after the Revision Case No. 22/1999 was dismissed for default.

Exercising jurisdiction under Article 226 of the Constitution of India, I am not inclined to interfere with the impugned order passed by the learned Member, Bihar Land Tribunal, wherein, it has been mentioned based on the order sheet of the Court of the Joint Director that the case was adjourned on one ground or another for about ten years, which might have been the reason for any litigant losing patience and leave doing *pairvi* in this case.

The writ petition is accordingly dismissed as in the Court's view the impugned order of the Tribunal does not require interference.

(Chakradhari Sharan Singh, J)

Rajesh/Sachin/-

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