

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.446 of 2017

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1. Gayatri Devi and Anr wife of Birendra Mishra, null
 2. Birendra Mishra, son of Late Ram Kripal Mishra, Both residents of Village-Samastipur, P.O.- Sarmastpur via Basudeopur, P.S.- Mahnar, District-Vaishali.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Joint Director of Consolidation, Muzaffarpur.
3. Ravindra Mishra,
4. Vijay Mishra, Both sons of Late Gauri Shankar Mishra, resident of Village-Sarmastpur, P.S.- Sarmastpur, P.S.- Mahnar, District- Vaishali.
5. Renu Devi, wife of Late Guru Shankar Mishra, resident of Village-Sarmastpur, P.S.- Sarmastpur, P.S.- Mahnar, District- Vaishali.
6. Arvind Bhatt,
7. Ravindra Bhatt,
8. Chandrachu Bhatt, All (Sl. No.6 to 8) sons of Balbhadra Bhat, Both residents of Village- Samastipur, P.O.- Sarmastpur via Basudeopur, P.S.- Mahnar, District- Vaishali.

... .. Respondent/s

Appearance :

For the Petitioner/s : None
For the Respondent/s : Mr. Rishi Raj Sinha- SC 19

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 12-05-2023 No one appears for the petitioners. Learned counsel
for the respondents are present.

The petitioners have filed the instant writ application
for the following relief(s):-

*“1. That this is an application for setting aside the
order dated 29.02.1988 passed by the Court of the
learned Joint Director of Consolidation, Muzaffarpur
in Revision Case No. 3083/87 whereby, the said*



learned Joint Director has passed the impugned order in a summary proceeding only on the basis of one compromise made between the father of the Respondents No.3 and 4 and their uncle Harishankar Mishra without hearing the petitioner and the other co-sharers.”

It is submitted by learned counsel appearing for the respondents that the petitioners have an alternate and efficacious remedy of pursuing their case before the tribunal constituted under the the Bihar Land Disputes Resolution Act, 2009 (‘the Act’ in short).

Having heard learned counsel for the respondents, the Court finds substance in the avernments made on behalf of the respondents. Accordingly, this writ application is disposed of giving liberty to the petitioners to challenge the order impugned herein by filing an appropriate application before the Tribunal under the Act.

The writ application stands disposed of.

(Partha Sarthy, J)

Prakash/-

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