

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6838 of 2015

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Harideo Giri Son of Late Mahadeo Giri. Resident of Village - Gurhanwa,
P.O.- Block - Dhaka, P.S.- Kundwa Chainpur, District - East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Collector, District - East Champaran.
3. The Deputy Collector of Land Reforms at Motihari, District - East Champaran.
4. The Circle Officer, Dhaka, District - East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Giri, Adv.
For the Respondent/s : Mr. Vinay Kr. Mishra, (AC to AAG-15)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 25-07-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. Learned counsel for the petitioner submits that
during pendency of the present writ petition, the petitioner died.

3. Learned counsel for the State submits that since,
the settlement was not made in favour of the petitioner, in the
meantime, he died during pendency of the writ petition which
has been filed to direct the respondents to request for settlement
of land.

4. In this background that the right which has not been
accrued in favour of the petitioner cannot devolve upon his heirs
and legal representatives.

5. As such, the present writ application is dismissed as having become infructuous.

6. It is made clear that the dismissal of the writ on the ground being infructuous, due to death of the petitioner shall not bar the heirs and legal representatives of the petitioner to make any claim afresh before the competent authority.

(Dr. Anshuman, J.)

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