

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5867 of 2023

=====

Vikram Kumar Singh S/o Arun Singh, Resident of Vill.- Chechar, P.S.-
Biddupur, Dist.- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Collector, Vaishali at Hajipur.
3. The Deputy Collector, Land Reforms, Vaishali at Hajipur.
4. The Circle Officer, Bidupur, District- Vaishali.
5. Anil Kumar Singh S/o Hari Charan Singh, Resident of Vill.- Chechar, P.S.- Bidupur, Dist.- Vaishali.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar, Adv.

For the Respondent/s : Mr. Rishi Raj Sinha, (SC-19)

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-08-2023 Learned counsel for the petitioner, learned counsel for the private respondent no. 5 and learned counsel for the State are present.

2. The present writ application has been filed to set aside the order dated 11.08.2022 passed by the Bihar Land Tribunal, Patna in B.L.T. Case No. 18 of 2021 with B.L.T. Case No. 19 of 2021.

3. Learned counsel for the petitioner submits that mother of the petitioner was respondent no. 5 in B.L.T. Case No. 18 of 2021 with B.L.T. Case No. 19 of 2021, whereas his mother died on 01.02.2020 itself *i.e.* after the order passed in the revision case from which the Bihar Land Tribunal cases have arisen but prior to disposal of B.L.T. Case No. 19 of 2021.

4. In the light of Annexure- 4 which is the death certificate, all the parties agreed that the order passed by the Bihar Land Tribunal, Patna in B.L.T. Case No. 18 of 2021 with B.L.T. Case No. 19 of 2021 dated 11.08.2022 is against the dead person who is respondent no. 5, namely, Sunaina Devi.

5. In this view of the matter without entering into the merit and demerit of the case, this Court is hereby set aside the order dated 11.08.2022 and remanding the matter before the Bihar Land Tribunal, Patna with liberty to the respondent no. 5 that he shall file a substitution petition for respondent no. 5 (deceased) before the Bihar Land Tribunal, Patna and the present petitioner undertakes that they shall appear *suo moto* before the Bihar Land Tribunal, Patna within four weeks' alongwith the order passed by this Court and the Bihar Land Tribunal, Patna shall decide these cases adding petitioner as opposite party within six weeks' upon appearance of all the parties.

6. With this direction, the present writ application is hereby disposed of.

(Dr. Anshuman, J.)

sadique/-

U			
---	--	--	--