

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17926 of 2015

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Laxman Jha S/o Late Radhakant Jha Resident of Village - Khushi Tola,
Patharighat, P.O. - Bettiah, P.S. - Bairiya, District - West Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Collector, West Champaran at Bettiah.
3. The Deputy Collector, Land Reforms, Bettiah, District - West Champaran.
4. The Circle Officer Anchal Adhikari, Bairiya Block, Bairiya, District - West Champaran.
5. Amarnath Mukherjee S/o Late Panchanand Mukherjee Resident of Mohalla - Ganj No. 1, P.S. - Bettiah Town, District - West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.
For the Respondent/s : Mr. Ajay, GA-12

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 05-09-2023

Heard learned counsel for the petitioner and
learned counsel for the State.

2. Learned counsel for the petitioner submits that the petitioner is the purchaser of the land which was subject matter of the Land Ceiling Case No. 116 of 1974-75. Counsel submits that the petitioner has earlier moved before this Hon'ble Court vide order dated 24.01.2003 in C.W.J.C. No. 12328 of 2002, in which a direction was made to the State to answer that why the lands claimed to have been purchased by the petitioner from respondent no. 5 (present respondent) during the pendency

of the ceiling proceeding against him may not be assigned to the unit given to him?

3. Learned counsel for the petitioner further submits that the said case of petitioner in C.W.J.C. No. 12328 of 2002 was tagged with C.W.J.C. No. 11291 of 2002 and it was dismissed due to non-prosecution. The another C.W.J.C. No. 11291 of 2022 was filed by Sudama Prasad & Ors. who are similarly situated as like that of the present petitioner.

4. Learned counsel for the petitioner further submits that the said Sudama Prasad who was petitioner of C.W.J.C. No. 11291 of 2002 has preferred another C.W.J.C. No. 848 of 2015, which was finally disposed of on 19.09.2019 on the ground of withdrawal, as the grievances of the petitioner, namely, Sudama Prasad & Ors. have been settled.

5. Learned counsel for the State submits that both the petitioner and said Sudama Prasad were the purchaser from the same respondent no. 5 and the grievances of one petitioner has been settled, then there is every likelihood that the grievances of the present petitioner has also been settled.

6. Learned counsel for the petitioner in response submits that it is a case of year 2015 and the petitioner is not in contact since long. Even after best effort made by him, he could

not contact to the petitioner. Counsel submits that the case of the petitioner may be disposed of with liberty only that in case, the grievances of the petitioner has not been resolved, then in that case, he shall be at liberty to raise his claim afresh before this Hon’ble Court.

7. In the light of the submissions made by the parties, the present writ application is disposed of granting liberty to the petitioner that if his grievances has not been settled till date, then he shall be at liberty to reopen this matter any time in future.

sadique/-

(Dr. Anshuman, J.)

AFR/NAFR	NAFR
CAV DATE	NA
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