

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11089 of 2017

1. Jayanti Devi, Wife of Late Nageshwar Singh
2. Nageshwar Singh, Son of Late Budhan Singh, Both Resident of Village-Rambagh, P.S.-Sadar, District-Purnia.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Revenue and Land Reform, Government of Bihar, Patna.
2. The Member, Board of Revenue, of Bihar, Patna
3. The Collector, Purnia
4. The Additional Collector, Purnia.
5. The Deputy Collector Land Reforms, Sadar, Purnia.
6. Mangla Kumari, Daughter of late Amulya Kumar Paswan, Resident of Teghra Bigho Monghyer, at Present Resident of Village-Rambagh, P.S.-Sadar, District-Purnia.
7. Shidhi Paswan, Son of Late Ram Chandra Paswan,
8. Rampal Paswan, Son of Ram Charan Paswan, Both Resident of Mohalla-Rambagh, P.S.-Sadar, District-Purnia.

... .. Respondent/s

Appearance :

For the Petitioners	:	Mr. Manoj Kumar, Advocate
For the State	:	Mr. Rishi Raj Sinha, SC-19
		Mr. Saurabh Kumar, AC to SC-19

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 22-12-2023

1. Heard learned counsels for the parties.

2. The present writ application has been filed for the

following reliefs:-

"i). For declaration that the entire Land Ceiling (Pre-emption) Proceeding being Land Ceiling Case No. 12 of 1983-84 and leading to Land Ceiling Appeal No. 40 of 1984-85 and Land Ceiling Revision Case No. 353 of 1986 are illegal, void, without jurisdiction, since the land in question is situated in the urban area, not the rural area, nor being used for agriculture



purposes.

- ii). Also for setting aside the order dated 31.12.1984 passed in Land Ceiling Case No. 12 of 1983-84 by the Learned Deputy Collector Land Reforms, Sadar, Purnia, whereby the petitioner no. 1 was directed to execute the sale deed in favour of respondent no. 6 on the ground of her being the adjacent raiyati.
- iii). Also for setting aside the order dated 29.03.1986 passed in Land Ceiling Appeal Case No. 40 of 1984-85 by the Additional Collector, Purnia, whereby the said appeal preferred against the order dated 16.06.1983 passed by the Learned Deputy Collector Land Reforms, Sadar, Purnia was rejected.
- iv). Also for setting aside the order dated 19.01.1987 passed in Pre-emption Revision Case No. 353 of 1986 passed by the Learned Member Board of Revenue, whereby the said revision application preferred against the order dated 31.12.1984 passed by the Learned Additional Collector, Purnia was rejected.
- v). Also for declaring the two registered sale deed dated 27.01.1992 executed in favour of respondent no. 6 pursuant to the direction of Learned Deputy Collector Land Reforms, Sadar, Purnia in terms of his order dated 31.12.1984 as unlawful, illegal and wholly without jurisdiction.
- vi). Also for any other appropriate relief(s) to which the petitioners are found entitled either in the eye of law or in the facts and circumstances of the case."

3. It is submitted on behalf of learned counsel for the State that in terms of judgment of Division Bench of this Court dated 13.10.2023 passed in the case of ***Sudhakar Jha vs. The State of Bihar and Ors.*** bearing ***C.W.J.C. No. 15060 of 2019***,



this writ application has become infructuous.

4. Accordingly, this writ application is dismissed as
having become infructuous.

(Prabhat Kumar Singh, J)

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