

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.247 of 2023

1. Umesh Prasad Singh Son of- Late Brahama Singh Resident of Village- and P.O.- Kuari Khurd, (Belawa Kuari) P.S.- Hajipur Sadar, District- Vaishali.
2. Chinta Devi Wife of- Arun Kumar Singh, Daughter of Late Lakhichand Singh Resident of Village- Kuari Khurd, (Belwa Kuari) P.O. Belwa Khuari, P.S.- Hajipur Sadar, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary Rural Development, Govt. of Bihar, Patna.
2. The Director Consolidation, Bihar, Patna.
3. The Collector, Vaishali at Hajipur.
4. The Deputy Director Consolidation, Vaishali at Hajipur.
5. Jogendra Singh Son of Binda Singh and Narendra Singh resident of Village- Kuari Khurd, P.O. Balwa Kuari, P.S. and Andhal- Hajipur, District- Vaishali.
6. Manoj Kumar Singh son of Narendra Singh resident of Village- Kuari Khurd, P.O. Balwa Kuari, P.S. and Andhal- Hajipur, District- Vaishali.
7. Suraj Kumar Singh son of Narendra Singh resident of Village- Kuari Khurd, P.O. Balwa Kuari, P.S. and Andhal- Hajipur, District- Vaishali.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 1815 of 2023

1. Kundan Kumara Son of Rama Nand Thakur, Resident of Village and P.O. Ismailpur, P.S. Hajipur Sadar, District- Vaishali.
2. Dropati Devi Wife of Late Ashoke Kumar Singh, Resident of Village- Balwa Kuari, P.S. Hajipur Sadar, District- Vaishali.
3. Prem Sheela Devi Wife of Dilip Kumar Singh, Resident of Village- Balwa Kuari, P.S. Hajipur Sadar, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Rural Development, Government of Bihar, Patna.
2. The Director Consolidation, Bihar, Patna.
3. The Collector, Vaishali at Hajipur.
4. The Deputy Director of Consolidation, Vaishali at Hajipur.
5. Ratnesh Kumar Singh Son of Late Ajay Kumar Singh @ Manoranjan Singh, Resident of Village- Balwa Kuari, P.S. Hajipur, District- Vaishali.
6. Pawan Kumar Singh Son of Late Ajay Kumar Singh @ Manoranjan Singh,



Resident of Village- Balwa Kuari, P.S. Hajipur, District- Vaishali.

7. Krishna Kumar Singh Son of Late Bhupendra Singh, Resident of Village- Balwa Kuari, P.O. Balwa Kuari, P.S. Hajipur Sadar, District- Vaishali.
8. Raj Kali Devi Wife of Sant Kumar Singh, Resident of Village- Dhahpur, P.S. Mahnar, District- Vaishali.
9. Beena Devi Wife of Ashok Kumar Singh, Resident of Village and P.O. Ghamangola, P.S. Desari, District- Vaishali.

... ... Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 247 of 2023)

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate

For the Respondent/s : Mr.Anjani Kumar (AAG 4)

(In Civil Writ Jurisdiction Case No. 1815 of 2023)

For the Petitioner/s : Mr.Ajay Kumar Singh

For the Respondent/s : Mr.Vinay Kirti Singh, GA-2

Mr. Sumant Kumar Singh, AC to GA-2

Mr. Vijay Kumar Verma, AC to GA-2

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 13-07-2023

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

2. The present two writ petitions have arisen from
the order dated 5th of July, 2022 passed by the Bihar Land
Tribunal in BLT Case No. 88 of 2019 and BLT Case No. 89 of
2019.

3. Learned counsel for the petitioners submits that
the land was purchased during the consolidation period and it is
in complete violation of Section 32 of the Bihar Consolidation
of Holdings and Prevention of Fragmentation Act, 1956. (Bihar
Act 22 of 1956) and, therefore, he seeks relief that the alleged
sale deed should be declared void, as no permission for



registration of the said land was obtained from the consolidation authorities. He further submits the Bihar Land Tribunal has rejected the claim of the petitioners solely on the ground that the petitioners before the Collector, Vaishali at Hajipur is neither beneficiaries of the gift deed or sale deed nor has any interest in the transaction made by the sale deed and gift deed and on this ground, their claim has not been considered.

4. Learned counsel for the State submits that the finding of the Bihar Land Tribunal is absolutely in accordance with the law.

5. Upon going through the pleadings of the parties and the argument advanced, this Court is of the view that the petitioners have no plausible explanation on this question that he has no interest in the suit property which applies to gift and sale deed in any manner and, therefore, this Court does not find any illegality in the order particularly when the petitioners before the Land Tribunal has no *locus standi* to challenge the same as there is no cause of action for him to sue.

6. Here in the present case, the petitioner has added opposite party no. 5 as petitioner no.2, but the said petitioner has never challenged any sale deed or gift deed at any earlier stage. Admittedly, the sale deed and gift deed is of the year 1989 and



2014 and the matters are already pending in Title Suit No. 1134 of 2014 in which the newly added petitioner is the party. As such, this Court is not inclined to interfere in the order passed by the Bihar Land Tribunal.

7. Hence, both petitions are hereby dismissed.

(Dr. Anshuman, J)

Ashwini/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	17.07.2023
Transmission Date	NA

