

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16995 of 2023

Dukhan Das Son of Mangal Das, Resident of 19 Jaynagar Basti, Chhabaki Tola, Ward No. 02, P.S.- Jainagar, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through Collector, Madhubani.
2. The Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
3. The Commissioner, Darbhanga Division, Darbhanga.
4. The Collector, Madhubani, District- Madhubani.
5. The Addl. Collector (Revenue), Madhubani, District- Madhubani.
6. The Sub-Divisional Officer, Madhubani.
7. The Deputy Collector, Land Reforms Department, Madhubani.
8. The Circle Officer, Jai Nagar, District- Madhubani.
9. Ram Chandra Das, Son of Thakai Das, Resident of Jainagar Gaon, Ward No. 02, P.S. and Circle - Jai Nagar, District- Madhubani.
10. Ashok Kumar, Son of Lakshman Das, Resident of Jainagar Gaon, Ward No. 02, P.S. and Circle - Jai Nagar, District- Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ratanakar Jha, Advocate Mr. Ray Saurabh Nath, Advocate
For the Respondent/s	:	Mr. Manish Kumar (GP-4) Mr. Sanjay Parasmani, AC to GP-4

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 08-12-2023 The writ petitioner has approached this Court
without even approaching any of the Governmental



Authorities. The purported public interest litigation has been filed producing Annexure-P1, a photocopy of the Khatiyan of the land and Annexure-P2, a photocopy of the sale deed dated 19.05.2022, claiming that between the private parties, the sale has been affected of the said land. The private parties are arrayed as respondent Nos.9 and 10. The vendor of the property is said to be respondent No.9 and 10 but, however, the beneficiary in the sale deed has not been impleaded. In fact, in paragraph 2(i), it is pointed that the respondent No.9 & 10 sold the property to respondent No.11. Nobody is impleaded as the 11th respondent and the '11' is scored off from the sentence manually, and '10' hand written. This reveals the callous manner in which the writ petition was drafted and filed. There is nothing to indicate that the petitioner has brought the aforesaid alleged fraudulent sale before the authorities. The petitioner has directly approached this Court without even approaching the governmental authorities.

2. We are of the opinion that the writ petition has to be dismissed *in limine* awarding cost of Rs.10,000/-, which shall be paid by the petitioner within a period of 2



weeks to the Bihar State Legal Services Authority, on failure of which the cost shall be recovered by appropriate proceedings taken akin to the recovery of land.

(K. Vinod Chandran, CJ)

(Rajiv Roy, J)

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