

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2335 of 2024

1. Harendra Rai Son of Late Net Lal Rai Resident of Village - Rahimpur, P.O. -Rahimpur Jagdish, Anchal and P.S. Vaishali, District - Vaishali.
2. Ravindra Ray S/O late Gulab Chandra Ray Resident of Village - Rahimpur, P.O. -Rahimpur Jagdish, Anchal and P.S. Vaishali, District - Vaishali
3. Lakhindra Rai Son of Late Jamadar Rai Resident of Village - Rahimpur, P.O. -Rahimpur Jagdish, Anchal and P.S. Vaishali, District - Vaishali
4. Guddu Rai S/o late Ram Bachan Rai Resident of Village - Rahimpur, P.O. -Rahimpur Jagdish, Anchal and P.S. Vaishali, District - Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar Through the Chief Secretary, Govt. of Bihar, Old Secretariat, Patna.
2. The Additional Chief Secretary-cum- Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Old Secretariat, Patna.
3. The Bihar Land Tribunal Through its Registrar, Off polo Road, Patna.
4. The Director, Consolidation, Bihar, Patna.
5. The Joint Director Consolidation (HQ) Bihar, Patna.
6. The Deputy Director Consolidation, Vaishali.
7. The Consolidation Officer, Vaishali, District -Vaishali.
8. Sita Ram Rai S/o. Late Ram Sovit Rai, Resident of Village - Rahimpur, P.O. -Rahimpur Jagdish, Anchal and P.S.- Vaishali, District - Vaishali.
9. Krishna Nandan Rai S/o late Bijli Rai Resident of Village - Rahimpur, P.O. -Rahimpur Jagdish, Anchal and P.S. - Vaishali, District - Vaishali (Bihar).
10. Ram Nandan Rai S/o late Gulab Chand Rai Resident of Village - Rahimpur, P.O. -Rahimpur Jagdish, Anchal and P.S. - Vaishali, District - Vaishali (Bihar).
11. Suresh Rai S/o. Jai Mangal Rai Resident of Village - Rahimpur, P.O. -Rahimpur Jagdish, Anchal and P.S. - Vaishali, District - Vaishali (Bihar).
12. Umesh Rai S/O Jai Mangal Rai Resident of Village - Rahimpur, P.O. -Rahimpur Jagdish, Anchal and P.S. - Vaishali, District - Vaishali (Bihar).

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mrs. Jyoti Kumari, Advocate
For the Respondent/s	:	Mr. Government Pleader 19

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-05-2024 Heard Mrs. Jyoti Kumari, learned Counsel for the
petitioners and the State.

2. The present petition has been preferred for the
following reliefs:-



(a) for issuance of writ in the nature of certiorari for quashing the order dated 6.12.2023 passed by the Learned Member (Administrative) Bihar Land Tribunal Patna in B.LT Case No. 619/2022 whereby and where under he has arbitrarily fixed the date i.e. on 09.01.2024 for hearing on the I.A. No. 426/2023 filed by the petitioners before the Hon'ble Chairman Bihar Land Tribunal, Patna which is with regard to transfer/ to call for the records of B.L.T. Case No. 619/2022 (Harendra Rai and others versus the State of Bihar and others) from the Court of Learned member, Administrative to the bench of Hon'ble Chairman or any other Bench of this Tribunal as the petitioners of this case have lost complete faith and total confidence in the present Learned Member, Administrative and has serious apprehensions that the dispute before him could not be adjudicated in a fair, impartial and neutral manner;

(b) for further issuance writ in the nature of mandamus directing / commanding the Learned Member (Administrative) to transfer the entire record of B.L.T. Case No. 619/2022 alongwith I.A. (which is attached with record) to the Hon'ble Chairman for its disposal / for kind consideration and proper adjudication in the mater in view of the catena of decisions of Hon'ble Supreme Court as well as the decisions of Hon'ble Patna High Court in which the Hon'ble Courts have held that "No



one can be judge in his cause";

(c) for also directing the Hon'ble Chairman, Bihar Land Tribunal, Patna to dispose of an I.A. No. 426/2023 (for transfer of the case) and hear the B.L.T. Case No. 619/2022 and dispose it of finally on the merits if possible in the interest of Justice;

(d) the writ petitioners pray before this Hon'ble Court to stay the order dated 6.12.2023 passed by Learned Member Administrative, Bihar Land Tribunal Patna passed in B.L.T. Case no. 619/2022 till final disposal of this writ application.

3. Mr. Uday Shankar Sharan Singh, learned State Counsel submits that the B.L.T., Patna simply adjourned the matter on 06.12.2023 for 09.01.2024 which is under challenge.

4. Learned Counsel for the petitioner submits that now the writ petition has become infructuous in view of the fact that the case stands transferred to the Court of the Chairman, B.L.T. She as such, prays for withdrawal of the petition.

5. The writ petition stands disposed of.

(Rajiv Roy, J)

Neha/-

U			
---	--	--	--

