

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1332 of 2017

1. The State Of Bihar through the Collector, Gopalganj.
2. The Additional Collector, Gopalganj.
3. The District Land Acquisition Officer, Gopalganj.
All at Gopalganj, P.S. and District Gopalganj.

... .. Petitioner/s

Versus

1. Mrigendra Pratap Shahi, Son of Late Maharaja Gopeshwar Prasad Shahi and Maharani Durgeshwari Shahi.
2. Sushmita Shahi S/o Late Maharaja Gopeshwar Shahi and Durgeshwari Shahi.
Both Residents of Hathuwa, P.O. and P.S.- Hathuwa, District- Gopalganj.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Rewti Kant Raman, Advocate
For the Respondent/s	:	Mr.Siddhartha Prasad, Advocate
		Mr. Kaustubh, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

9 19-11-2024 Heard learned counsel for the petitioners and learned
counsel for the respondent no.1.

2. The learned counsel appearing on behalf of the petitioners submits that while passing the order for making payment to the respondent no.1 in terms of award, the learned executing court has made a wrong calculation and the petitioners have challenged the said calculation by filing application dated 29.07.2009.

3. However, the learned counsel appearing on behalf of the respondent no.1 submits that the matter has become infructuous as the authorities have already made all the



payments and consequently Execution Case No. 3 of 2008 has been dropped vide order dated 17.05.2016 passed by the learned executing court.

4. Since the Execution Case No. 03 of 2008 has been disposed of by the learned executing court, nothing remains in the matter to be assailed before this Court in the proceeding under Article 227 of the Constitution of India. Moreover, the petitioners have made all the payments to the respondent no.1 as it appears from the submission made on behalf of the petitioners.

5. In these circumstances, the present petition could not be entertained and hence, the same is disposed of while reserving the right of the petitioners to have recourse of appropriate proceeding in accordance with law to recover excess amount, if any, paid to the respondent no.1.

(Arun Kumar Jha, J)

V.K.Pandey/-

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