

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10414 of 2016

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Shyam Bihari Gupta son of Late Ram Naresh Pd. Gupta resident of Station Road Mohania, P.O. - Mohania, P.S. - Mohania, District - Kaimur.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Divisional Commissioner, Patna, District-Patna.
2. The Deputy Collector Land Reforms, Mohania, P.S. - Mohania, District - Kaimur, Bhabhua.
3. Lalita Kuer wife of Late Shyam Yadav
4. Arjun Yadav
5. Bhim Yadav
6. Nakul Yadav
7. Amar Yadav
8. Mahendra Yadav All Sl. No. 4 to 8 are sons of Late Shyam Yadav All residents of Mohania, P.O. - Mohania, P.S. - Mohania, District - Kaimur.
9. Lal Bihari Gupta son of Ram Naresh Gupta resident of Station Road Mohania, P.O. and P.S. Mohania, District - Kaimur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Binod Kumar Singh, Advocate Mrs. Alka Singh, Advocate
For the Respondent/s	:	Mrs. Nutan Sahay, AC to AAG-12

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 13-05-2024 Heard Mrs. Alka Singh, learned counsel for the petitioner and Mrs. Nutan Sahay, learned AC to AAG-12.

2. The present writ petition has been preferred for the grant of following relief/s:-

“i. That the present writ application is being filed for the issuance of an appropriate writ order or directions for setting aside the



order dated 03.03.16 passed by the Divisional Commissioner, Patna in Land Dispute Appeal Case No.-271 of 2012 by which the Learned Divisional Commissioner, Patna has been pleased to quash the order dated 25.06.2012 passed by the Respondent No.-2, Deputy Collector, Land Reforms, Mohania in Land Dispute Case No. 119 of 2011-12 on the ground that the above order was passed without examination of merit of this case by the DCLR, Mohania.

ii. And for any other relief or reliefs for which the petitioner is entitled for.”

3. Though, learned counsel for the petitioner tried to impress upon the Court the reasons for invoking the writ jurisdiction, Mrs. Nutan Sahay representing the State pointed out that the order of the Divisional Commissioner in Land Dispute Appeal Case No. 271 of 2012 has been challenged and the natural course of the petitioner is/was to prefer appropriate petition before the Bihar Land Tribunal, Patna.

4. In that background, learned counsel for the petitioner submits that he shall be preferring appropriate



petition.

5. In case, the same is preferred within four weeks from today ‘the Tribunal’ shall take into account that the writ petition was pending before this Court for last eight years before deciding the limitation petition.

6. The writ petition stands disposed of.

(Rajiv Roy, J)

Adnan/-

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