

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9260 of 2016

1. Tripti Narayan Choyudhary and Ors
2. Tej Narayan Choudhary
3. Tilak Narayan Choudhary All sons of Late Deo Narayan Choudhary,
Resident of Village- Beri, P.s.- Kushesharsthan, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Collector, Darbhanga.
3. The Sub-Divisional Officer, Biraul, Darbhanga.
4. The Circle Officer, Kushesharsthan West at Satighat, Darbhanga.
5. The Bihar Bhoodan Yagna Committee, through its Chairma, Gardanibagh,
Road No.3, Patna.
6. Chairman, Bihar Bhoodan Yagna Committee, Gardanibagh, Raod No.3,
Patna.
7. The Office Secretary, Bihar Bhoodan Yagna Committee, Collectorate,
Laheriasarai, Darbhanga.
8. Ram Chander Rai Son of Late Gango Rai, Resident of Village- Sultanpur,
Police Station- Kushesharsthan, Darbhanga.
9. Jagdish Monchi Son of Late Malhu Monchi, Resident of Village- Sultanpur,
Police Station- Kushesharsthan, Darbhanga.
10. Saru Khatway, Son of Bhagwat Khatway, Resident of Village- Sultanpur,
Police Station- Kushesharsthan, Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar Das, Advocate Mr. Lal Babu Singh, Advocate
For the Respondent/s	:	Mr. Jitendra Kr. Roy, SC-13 Mr. Jitesh Suman, AC to SC-13
For the Bhoodan	:	Ms. Alka Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-02-2024 Heard learned counsel for the petitioners, State as also

Ms. Alka Verma appearing on behalf of respondent No. 5 to 7.

2. The present writ petition has been preferred for the
following relief:



“(i). That the present writ petition is being filed before this Hon'ble Court on behalf of above named petitioners for issuance of writ of certiorari for quashing the land distribution certificates No.048319, 048322 and 048323, all dated 17.06.1983 issued by the authorized person of respondent no.5 in favour of respondents nos. 8 to 10 by which the respondent no.5 has distributed the land being Revenue Thana No. 213, Khata No. 509, Keshara No. 410 & 471, Mauza- Sultanpur, Anchal- Kushesharsthan, District- Darbhanga measuring 1 acre 13 decimal and 61 decimal respectively of the petitioners to the respondent nos. 8 to 10.

(ii). That the petitioners above named are further praying before this Hon'ble Court for issuance of writ of mandamus directing/ commanding the respondent authorities to restore the peaceful possession of the petitioners over the land being Revenue



Thana No. 213, Khata No. 509, Keshara No. 410 & 471, Mauza- Sultanpur, Anchal-Kushesharsthan, District- Darbhanga measuring 1 acre 13 decimal and 61 decimal respectively from where the petitioners have been forcefully evicted by the respondent no.4 on 26.07.2015.”

3. In the year 1983, the respondent No. 5, The Bihar Bhoodan Yagna Committee, issued a land distribution certificates in favour of respondent Nos. 8 to 10.

4. Thirty three years later, the writ petition has been preferred. Though the petitioner tried to impress upon the Court to justify the delay, this Court is not convinced.

5. The petition stands dismissed for the sole reason of delay and laches, granting liberty to the petitioners to pursue alternate remedy in accordance with law.

(Rajiv Roy, J)

Adnan/-

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