

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6829 of 2016

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Chandrakant Rai S/o late Ramlakhan Rai resident of village - Malikaur, P.O. - Malikaur, P.S. - Pusa, District - Samastipur presently residing at Pankaj Press, Bajrangpuri, Gulzarbag, Patna - 7.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary, Revenue and Land Reforms, Govt. of Bihar, Patna.
3. The Commissioner, Tirhut Division, Muzaffarpur.
4. The District Magistrate cum Collector, Samastipur.
5. The Land Reforms Dy. Collector, Samastipur.
6. The Circle Officer, Pusa, Samastipur.
7. Satya Narayan Rai S/o Late Ramsagar Rai resident of village - Malikaur, P.O. - Malikaur, P.S. - Pusa, District - Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Respondent/s : Mr. Manish Kumar, GP-4

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 16-02-2024 Heard the parties.

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

(i). To Quash the order passed by L.R.D.C, Samastipur in land Dispute case no. 333/2014 dated 31.7.2015 whereby and where under he had decided the case without hearing the petitioner.

(ii) To stay the execution process of land Dispute case no. 61/2015 (passed in land dispute



case no. 333/2014.)

(iii) Any other relief/ reliefs which your lordship deem fit and proper in the fact and circumstances of the case.

3. Learned counsel for the petitioner submits that the sole petitioner is no more and although he had taken time on 04.01.2024 for substitution, he could not do so and as such prayer has been made for another adjournment.

4. Learned State counsel has taken this Court to the prayer portion to show that the late petitioner has challenged the order dated 31.07.2015 in land dispute case No. 333 of 2014 pending before the LRDC, Samastipur, by which simply an order for demarcation has been passed. Learned counsel appearing for the late petitioner submits that he was also having adjoining land and as such he was to be heard before an appropriate order is passed.

5. Learned State counsel points out that it is not the case of the petitioner that he ever approached the authority bringing on record his grievance.

6. Instead, he preferred the writ petition. This Court finds force in the submission put forward by the learned State counsel. The petitioner rushed to this Court instead of availing the opportunity before the concerned Court, the LRDC,



Samastipur.

7. In that background and considering that the sole petitioner is no more and no substitution petition is on record, the present writ petition stands dismissed.

8. This will not prevent the substituted heirs to take appropriate steps in accordance with law by appearing before an appropriate authority and/or approaching the Court for an appropriate relief later on.

(Rajiv Roy, J)

Adnan/-

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