

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22337 of 2013

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1. Jai Krishna Pandey and Ors S/O Late Gajadhar Pandey Resident Of Village- Panti Bhagwanpur, P.S.- Barachatti Fatehpur, District- Gaya
 2. Chandra Shekhar Prasad Son Of Late Mahadeo Prasad Yadav Resident Of Village- Panti, P.S.- Fatehpur, District- Gaya
 3. Bhojal Yadav Son Of Late Hari Yadav Resident Of Village- Barma, P.S.- Fatehpur, District- Gaya

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The S.D.O., Sadar, Gaya
3. The L.R.D.C., District- Gaya
4. The Circle Officer, Tankuppa

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Anand, Advocate
For the Respondent/s	:	Ms. Manisha Kumari, learned AC to GP-7

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

9 01-04-2024 Heard Mr. Vijay Anand, learned counsel for the
petitioners and Ms. Manisha Kumari, learned AC to GP-7.

2. Pursuant to the last order, a counter affidavit has come on behalf of the respondent no. 1 which was filed in the Court on 15.03.2024 without service of copy upon the learned counsel for the petitioners for which a cost of Rs. 1,000/- is imposed upon the office of GP-7. The payment has to be made to the learned counsel for the petitioners by Friday and the receipt has to be filed in the present case.

3. A copy has now been served in the Court to the



learned counsel for the petitioners. Paragraph 3 of the counter affidavit which runs from page numbers 2 to 10, it is the case of the State that the Title Suit No. 178 of 1992 preferred by the petitioners was allowed against which Title Appeal No. 101 of 2014 has been filed by the State of Bihar.

4. Learned counsel for the petitioners point out that this petition was filed in the year 2013 and only thereafter, the State filed this Appeal.

5. From the perusal of the counter affidavit, it is clear that the Appeal was preferred in the year 2014 and we are in the year 2024. In that background, it would be appropriate that a direction be given to the learned District Judge, Gaya to take up the matter and taking into account that the same has remained pending for last one decade, it be heard urgently so that an appropriate order is passed within a period of one year from today.

6. The order passed by the learned District Judge, Gaya in Title Appeal No. 101 of 2014 shall be binding on the parties.

7. Till an order is passed by the learned District Judge, Gaya, either on any Interlocutory Application filed by the State of Bihar and/or the disposal, status quo as existing today shall



be maintained.

8. Learned counsel for the petitioners seek liberty to approach this Court again if the Title Appeal of the State of Bihar is dismissed.

9. The said liberty is always available to the persons who otherwise are aggrieved by the action State order.

10. The writ petition stands disposed of.

(Rajiv Roy, J)

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