

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14594 of 2023

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1. Sanjay Sharma Son of Late Tengar Sharma R/O Village- Adhaura, PS- Adhaura, District- Kaimur(Bhabua).
 2. Dablu Sharma Son of Late Tengar Sharma R/O Village- Adhaura, PS- Adhaura, District- Kaimur(Bhabua).

... .. Petitioner/s

Versus

1. The State of Bihar Through Chief Secretary, Government of Bihar, Patna
2. Collector Cum District Magistrate, Kaimur at Bhabua.
3. The LR.D.C. Bhabua, District-Kaimur at Bhabua
4. The Circle officer Adhaura, District- Kaimur
5. The Circle Inspector Adhaura, District-Kaimur
6. Birendra Sharma Son of Late Abhilakh Sharma, Resident of Village- Adhaura, P.S- Adhaura, District- Kaimur (Bhabua).
7. Upendra Sharma Son of Late Abhilakh Sharma, Resident of Village- Adhaura, P.S- Adhaura, District- Kaimur (Bhabua).
8. Mahendra Sharma Son of Late Abhilakh Sharma, Resident of Village- Adhaura, P.S- Adhaura, District- Kaimur (Bhabua).
9. Satendra Sharma Son of Late Abhilakh Sharma, Resident of Village- Adhaura, P.S- Adhaura, District- Kaimur (Bhabua).
10. Nagendra Sharma Son of Late Abhilakh Sharma, Resident of Village- Adhaura, P.S- Adhaura, District- Kaimur (Bhabua).

... .. Respondent/s

Appearance :

For the Petitioner/s : None
For the Respondent/s : Mr. Md. Khurshid Alam, AAG-12

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 23-04-2024 No one appears on behalf of the petitioners though the State is present.

2. The BLT has passed a reasoned order in BLT Case No. 158 of 2023 and paragraphs-5 and 6 read as follows:-

“5. It is mentioned in the impugned order that on the basis of aforesaid Basgit



Parcha mutation was done in the name of Fakir Thakur and jamabandi was running in his favour. The learned Collector has mentioned in the order that petitioner is claiming the land on the basis of entry made in R.S. Khatiyar in name of his father. But during lifetime of his father, petitioner never challenged the Basgit Parcha issued in favour of opposite party no. 6 vide Basgit Parcha Case No. 02 of 1983-84 and rent receipt was issued in his favour. The learned Collector has also mentioned in the order that power under Section 21 of BPPHT Act has been introduced by Amendment Act II of 1989. The Parcha is alleged to be issued by Basgit Parcha Case No. 02 of 1983-84. Therefore, the aforesaid power cannot be exercised in the appeal retrospectively. The Collector has accordingly dismissed the appeal filed by the petitioner.

6. This Tribunal does not find any illegality in the order passed by Collector, Kaimur at Bhabua in Basgit Parcha Appeal No. 06 of 2019 dated 19.10.2022. This application is accordingly dismissed at Admission stage itself.”

3. This Court does not find any reason to interfere with the order passed by ‘the BLT’ in BLT Case No. 158 of



2023.

4. However, since there is no appearance, the writ
petition stands dismissed for non-prosecution.

(Rajiv Roy, J)

Adnan/-

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