

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3530 of 2017

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1. Md. Idrish and Anr S/o Late Md. Sadik Hussain @ Md. Siddique,
 2. Md. Bechan @ Md. Hanif, S/o Late Chhabu Hussain, Both nos. 1 and 2 are resident of Chiraiya Rehka, P.S. K. Nagar, District - Purnia

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Collector, Purnia
3. The Additional Collector, Land Ceiling Purnia
4. The Circle Officer, K. Nagar, District - Purnia
5. Smt. Manorma Devi, W/o Kumar Sachidanand Singh,
6. Smt. Pramila Ramaji, W/o Kumar Parmanand Singh, Both nos. 5 and 6 are resident of Shrinagar Dyodhih, P.S. K. Nagar, District - Purnia
7. Bibi Ahmedi Khatoon, W/o Md. Abdul Aziz, resident of village - Khutti Dhunaili, P.S. K. Nagar, District - Purnia

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Adv.
For the Respondent/s : Mr. Raj Kishore Roy-Gp18

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

8 22-04-2025 Heard the parties.

2. The present application has been filed:

*for issuance of a writ or writs,
direction or directions to the Collector, Purnia
to delete the lands described hereinafter in this
application from the District Purnia Gazette
Notification no. 4 dated 1.6.1990 published u/s
15 (1) of the Land Ceiling Act, as the land so
purchased by the petitioners have been declared
surplus land of the landholder Sri Mati Sidhi
Ramaji which have been sold by her heirs and
legal representatives in the year 1960 and 1967
without any intention to defeat the
provisions/Land of Land Ceiling Act.*



The land so declared surplus have done without initiating any been proceeding u/s 5 (1) (iii) of the Land Ceiling Act by the authorities and without setting aside the sale deed, and without giving any opportunity to the petitioners to be heard, though the petitioners have been coming in physical cultivating possession over the land from their date of purchases, got their names mutated in the Sirista of the State, paid rent and got rent receipts whereof issued in their favour.

3. The counter affidavit of the State respondent clearly shows that the acquisition took place and the notification was published under Section 15(1) of 'the Act' in the extraordinary gadget on 01.06.1990. The writ petition has been filed in the year 2017 and the stand of the State is that the land in question stands settled with the different persons under Section 27 of the Act by way of red card and they have not even been impleaded as party respondents.

4. In that background, the writ petition stands dismissed, both on the ground of delay and laches as also the non-joinder of necessary parties.

(Rajiv Roy, J)

Vijay Singh/-

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