

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2767 of 2016

Ugra Nath Jha Son of Sidhi Nath Jha, Resident of Hatadh Rupauli, Poice
Station- Bhairah Asthan, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar, through its Collector, Madhubani
2. Anchal Adhikari Jhanjharpur, Police Station- Jhanjharpur, District-
Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Prabhas Ranjan
For the Respondent/s	:	Mr.Rajiv Kumar Singh, GP-2

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

9 18-02-2025 Heard the parties.

2. The grievance of the petitioner is that, despite
the decree of the civil court, passed on
15.06.1996/27.06.1996 in Title Suit No. 102/1986/106/1993
by the learned Sub-Judge-I, Jhanjharpur, the land in suit was
not delisted by the concerned Circle Officer from the list of
Sairat land. The operative portion of the order dated
15.06.1996 is being extracted hereinbelow:-

*“That the suit is Decreed on contest and
the Defendants are directed to remove
the suit land from sairat list and
defendants are restrained from
interfering in the possession of the
plaintiffs and from settling the suit land
to any other persons. But under the*



circumstances of the case there is no order for cost.”

3. The learned counsel for the petitioner has submitted that the said order has become final, because the Title Appeal No. 21/1997/50 of 2000 was dismissed in default on 03.01.2002 by the Additional District Judge-II, Madhubani. The Restoration Application No. 11 of 2018 filed by the State of Bihar was also dismissed in default by order dated 16.07.2024. The learned counsel has also submitted that the decree of the civil court has become final and it should be carried out by the concerned Circle Officer.

4. The learned counsel for the State has submitted that it is true that the decree has been passed in favour of the petitioner and the appeal filed by the State of Bihar has been dismissed in default and restoration application has also been dismissed in default, but the second Restoration Application No.44/2024 is pending.

5. In view of the submissions of the learned counsel for the parties, this writ application is being disposed of with the observation that the judgment and decree of the civil court shall be carried out by the concerned Circle Officer within a period of three months and the order of the



Circle Officer shall be subject to final outcome of the
Restoration Application No. 44/2024.

(Nawneet Kumar Pandey, J)

HR/-

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