

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2864 of 2017

Ram Chandra Pal Son of Late Nandan Raut, resident of Village- Sihi, Tola Pirauna, P.O.- Hasanpur Sugar Mills, P.S. Hasanpur, Sub-Division- Rosera, District- Samastipur.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Commissioner, Darbhanga Division, Darbhanga.
3. Additional Collector, District- Samastipur.
4. Deputy Collector, Rosera, District Samastipur.
5. Yagwati Devi, Wife of Late Ganga Sagar Raut,
6. Vivek Kumar, Son of Late Ganga Sagar Raut,
7. Sita Kumari @ Ekata Kumari, daughter of Late Ganga Sagar Raut,
Respondent no. 5 to 7 resident of Village- Sihi tola, Pirauna, P.O.- Hasanpur
Sugar Mills, P.S. Hasanpur, Sub-Division- Rosera, District- Samastipur.
8. Ram Sewak Raut, Son of Late Nandan Raut, resident of village- Sihi, Tola
Pirauna, P.O.- Hasanpur Sugar Mills, P.S. Hasanpur, Sub-Division- Rosera,
District- Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Ms. Dipsikha, Adv.
Ms. Divyani Kumari, Adv.
For the Respondent/s : Mr. Raj Kishore Roy- Gp18

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

6 06-05-2025 Heard Ms. Dipsikha representing the petitioner
duly assisted by Ms. Divyani Kumari and the State.

2. The present application has been filed:

(i) for issuance of an appropriate writ in the nature of CERTIORARI for quashing the order dated 23.09.2016 passed in B.L.T. Case No.482 of 2016 by Hon'ble Chairman, B.L.T., Patna, whereby and where under she was pleased to dismiss the



case filed on behalf of the petitioner at the stage of Admission itself(ANNEXURE-P-8).

(ii) for issuance of an appropriate writ in the nature of CERTIORARI for quashing the order dated 05.03.2016 passed in Land Dispute Appeal No.479 of 2014 by the Commissioner, Patna Division whereby and where under he was pleased to set aside the order dated 21.03.2014 passed by the D.C.L.R., Sadar, Patna in Land Dispute Case No.83 of 2013-14 and the appeal preferred by the Respondent 2nd set has been allowed without hearing and notice to the petitioner (ANNEXURE-P-7). The order passed by D.C.L.R. Sadar Patna has been allowed in favour of the petitioner;

(iii) during the pendency of this writ application before this Hon'ble Court the orders contained in ANNEXURE -P-7 and P-8 shall be remain stayed.

(iv) for any other relief or reliefs for which the writ petitioner shall be found entitled under the facts and circumstances of the case.

3. A perusal of the last three orders of the Co-ordinate Bench shows that the sole petitioner is no more and time was granted to file substitution petition.

4. Today on call, Ms. Dipsikha submits that the



widow is still under treatment at Chennai and as such, she has not come to Patna which has resulted into non filing of the substitution petition and another adjournment has to be prayed for.

5. Alternatively, the prayer is that the lady be granted liberty to file a fresh petition for the said cause of action when she returns from Chennai.

6. State has no objection.

7. A reasonable submission has been made, three adjournments have been made and since the lady is ill, she is unable to file substitution petition, in that background, granting liberty to the widow of late Ram Chandra Pal to agitate the matter, if she wants, the writ petition stands disposed of.

(Rajiv Roy, J)

Vijay Singh/-

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