

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5030 of 2019

Raj Kumar Prasad @ Raj Kumar Prasad Sah Son of Late Yadu Nandan Sah @
Yadunandan Prasad Resident of Village- Laukahi, Police Station-Laukahi,
District-Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Bihar, Patna
2. The Director, Revenue and Land Reforms Department, Bihar, Patna
3. The Collector, Madhubani
4. The Additional Collector, Madhubani
5. The Deputy Collector, Land Reforms, Jhanjharpur, District Madhubani
6. The Circle Officer-Cum-Chairman, Batai Board, Phulparas Block, District-Madhubani
7. The Circle Officer, Laukahi Block, District Madhubani
8. Mahesh Das Son of Late Kallar Das Resident of Village-Jhauri, Police Station-Laukahi, District-Madhubani.
9. Ramesh Das Son of Late Kallar Das Resident of Village-Jhauri, Police Station-Laukahi, District-Madhubani
10. Md. Moinuddin, Son of Late Abdulla Mian Resident of Village-Jhauri, Police Station-Laukahi, District-Madhubani
11. Babu Lal Das Son of late Addhu Das Resident of Village-Jhauri, Police Station-Laukahi, District-Madhubani
12. Shakar Ram Son of Late Sita Ram Mochi Resident of Village-Jhauri, Police Station-Laukahi, District-Madhubani
13. Ram Ekbal Das Son of Chauthi Das Resident of Village-Jhauri, Police Station-Laukahi, District-Madhubani
14. Dinesh Mali Son of Khushi Lal Mali Resident of Village-Jhauri, Police Station-Laukahi, District-Madhubani
15. Ram Chandra Das Son of Shobha Das Resident of Village-Jhauri, Police Station-Laukahi, District-Madhubani
16. Alauddin Son of Rashid Mian Resident of Village-Jhauri, Police Station-Laukahi, District-Madhubani
17. Lal Babu Mian Son of Sabir Mian Resident of Village-Jhauri, Police Station-Laukahi, District-Madhubani
18. Izharahul Mian Son of Late Kailu Mian Resident of Village-Jhauri, Police Station-Laukahi, District-Madhubani
19. Shyam Sundar Sah Son of Vidyanand Sah Resident of Village-Jhauri, Police Station-Laukahi, District-Madhubani
20. Ziaul Mian Son of Meraj Mian Resident of Village-Jhauri, Police Station-Laukahi, District-Madhubani



21. Vinod Gupta Son of Gayadhar Sah Resident of Village-Jhauri, Police Station-Laukahi, District-Madhubani
22. Md. Islam Son of Late Mohid Mian Resident of Village-Jhauri, Police Station-Laukahi, District-Madhubani
23. Khudsar Bihari Ram Son of Bihari Ram Resident of Village-Jhauri, Police Station-Laukahi, District-Madhubani
24. Mazlum Mian Son of Satan Mian Resident of Village-Jhauri, Police Station-Laukahi, District-Madhubani
25. Samsi Mian Son of Satan Mian Resident of Village-Jhauri, Police Station-Laukahi, District-Madhubani
26. Ram Chandra Rai Son of Jaleshwar Rai Resident of Village-Jhauri, Police Station-Laukahi, District-Madhubani
27. Vijay Kumar Yadav Son of Mahesh Yadav Resident of Village-Jhauri, Police Station-Laukahi, District-Madhubani
28. Bhola Yadav Son of Jangi Lal Yadav Resident of Village-Jhauri, Police Station-Laukahi, District-Madhubani
29. Chalitar Das Son of Chauthi Das Resident of Village-Jhauri, Police Station-Laukahi, District-Madhubani

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Uday Chand Prasad, Advocate Mr. Manoj Kumar, Advocate Ms. Pooja Prasad, Advocate
For the Respondent/s	:	Mr. Sajid Salim Khan (SC 25)

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 21-03-2025 1. The instant writ petition has been filed by the
petitioner for the following relief(s):-

(i) For issuance of appropriate writ in the nature of certiorari for quashing the order dated 3.05.2018 passed by Deputy Collector, Land Reforms Fulpras in Bataidari Appeal No.1 of 2016-17 whereby Respondent No.8 to 29 have been declared bataidar of the lands in question belonged to the petitioner and the petitioner being the landlord was directed not to dispossess the Bataidar from the lands in question.

(ii) For issuance of writ in the nature of Mandamus to cancel the Bataidari Parcha issued in favour of Respondent no.8 to 29.



(iii) For issuance of writ in the nature of Mandamus directing to Respondent to release the lands in question in favour of petitioner by declaring that the Respondent no.8 to 29 are the Bataidar of petitioner with regard to lands in question.

2. Learned counsel for the petitioner submits that this case may be disposed of with liberty to the petitioner to file appropriate appeal before the authority concerned/Collector, Madhubani.

3. Learned counsel for the State has no objection to this prayer of the petitioner.

4. In view of the submission of learned counsel for the petitioner, this writ petition is disposed of with liberty to the petitioner, as prayed for.

5. On filing of the appeal by the petitioner within four weeks from today, the authority concerned shall decide the same expeditiously.

6. It is needless to say that the authority concerned shall consider to condone the delay in view of the fact that the petitioner approached before this Court by way of filing the present writ petition on 12.03.2019 and the same is disposed of today.

(Sunil Dutta Mishra, J)

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