

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17546 of 2017

1. Sumitra Devi Wife of Late Kumaldeo Sharma,
2. Vijay Kumar,
3. Ajay Kumar, Both sons of Late Kamaldeo Mandal, All residents of Village- Babhanchakka, P.S.- Bhawanipur, District- Purnea.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Collector, Purnea.
3. The Deputy Collector, Land Reforms, Purnea.
4. Deepak Kumar Mandal, Son of Late Surendra Prasad Mandal, Resident of Village- Brahamgayani, P.S.- Bhawanipur, District- Purnea, at present residing at Mohallahatta Bazar, near Kalibari Chouk, P.S.- K-Hat, District- Purnea.

... .. 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

2 17-06-2025 No one appears on behalf of the petitioner though State is present.

2. The present petition has been preferred for the grant of following relief:

*“for quashing the order dated 08.05.2015
(Annexure-3) Passed by Hon'ble the Bihar Land
Tribunal, Patna in BLT Case No. 347 of-2013
arising out of C.W.J.C. No. 18660 of 2006
thereby the order dated 10.06.1997 (Annexure-1)
and the order dated 02.08.2005 (Annexure-2)
Passed by the Deputy Collector Land Reforms
Dhamdaha in case No. 20/1992 and the*



Collector, Purnea in Revision appeal No. 107 of 2003 respectively has been quashed with liberty to petitioners to file a fresh application for initiating a proceeding under Section 486 of the B.T. Act, only if all three ingredients which are mandatory for initiating under Section 48E of the B.T. Act are fulfilled.”

3. The Collector, Purnea rejected the claim of the respondent no.4 only on the ground of limitation and the Bihar Land Tribunal gave reasons that since the order was an ex-parte order respondent no.4 had no knowledge about the said order, the Collector, Purnea should have considered the provision of limitation before dismissing the petition and accordingly directed it to pass an order afresh.

4. This Court do not find any merit in the present petition to interfere with the order of the Bihar Land Tribunal.

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

(Rajiv Roy, J)

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