

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2454 of 2016

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Haridwar Mishra son of Late Mahabir Mishra, resident of Village- Kasba
Maker, P.O. and P.S. Maker, District- Saran.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The DCLR, Chapra, Sadar, Chapra.
3. Most Kishori Devi, wife of Late Saryug Sah
4. Sambhu Sah
5. Prabhu Sah
6. Kashinath Sah
7. Prayag Sah
8. Dwarika Sah
9. Ashok Sah All sons of Late Saryug Sah All residents of Village Kasba
Maker, P.O. and P.S. Maker, District- Saran.
10. Krishna Kumar Mishra, son of Late Sheo Chandra Mishra.
11. Sarita Mishra, wife of Krishna Kumar Mishra Both residents of Village
Kasba Maker, P.S. Maker, District- Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : None
For the Respondent/s : Mr.Ajay- Ga12, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 15-07-2025 No one appears on behalf of the petitioner though State
is present.

2. The present writ petition has been preferred :

*(i) for issuance of writ in the nature of
certiorari for quashing the order dated
15.12.2015 (Annexure 6) passed by Hon'ble
Justice Smt. Mridula Mishra, (Retd), Chair
Person the Bihar Land Tribunal, in BLT
Case No. 615 of 2014 by which she has*



allowed the case and set aside the orders passed by the DCLR, Chapra, the Additional Collector, Chapra and the Commissioner, Saran.

(ii) For any other consequential relief/reliefs for which the petitioner is entitle by this Hon'ble Court in the facts and circumstances of the present case.

3. Learned State counsel has taken this Court to the conclusion arrived at by the Bihar Land Tribunal, Patna where it has been recorded that as per the report submitted by the Advocate Commissioner, the nature of land is not agriculture and as such it is not going to have any fragmentation. The tribunal further recorded that there are residential houses in the vicinity of the transferred land and as such there is no ground to allow the prevention application.

4. Accordingly, the earlier orders were set aside.

5. Be that as it may, since there is no appearance, dismissed for non prosecution.

(Rajiv Roy, J)

Raj Ranjan/-

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