

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18449 of 2016

1. Manju Jha wife of Late Narendra Mohan Jha
2. Chandra Mohan Jha Son of Late Kishore Mohan Jha
3. Devendra Mohan Jha Son of Late Kishore Mohan Jha
4. Lalit Mohan Jha Son of Late Kishore Mohan Jha All resident of Villae-Rampur, Police Station- Muffasil Katihar, District- Katihar.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The Collector, Katihar, Bihar.
3. The Sub Divisional Officer, Katihar, Bihar.
4. The Circle Officer, Hasanganj, Katihar, Bihar.
5. Lal Chand Mahto Son of Late Baijnath Mahto
6. Tribhuwan Mahto Son of Late Baijnath Mahto Respondent Nos. 5 and 6 are residents of Village- Ram Nagar Bansi, Police Station- Dandkhora, District- Katihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate
For the Respondent/s : Mrs. Nutan Sahay, learned AC to AAG-12

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-08-2025 Heard the parties.

2. The present petition has been preferred for the following relief(s):

“for issuance of a writ in the nature of certiorari for quashing the part of order dated 02.03.2016, passed by the Learned Bihar Land Tribunal, so far it relates to granting liberty to the respondents no. 5 and 6 for filing fresh application



before the appropriate forum for conferring occupancy right under the provisions of Section 48 (D) of the Bihar Tenancy Act, 1858 (hereinafter to be referred as to the Act) with respect to the land in question, well as the entire proceeding of BLT Case No.45 2009-10, reopened pursuant to order dated 02.03.2016.

The petitioners further pray for issuance of writ in the nature of mandamus commanding the concerned respondents not to interfere in any manner with the peaceful right, title and possession of the petitioners, over the land in question.

Further the petitioners pray for issuance of any other appropriate writ/writs, order/orders and/or direction/directions to which the petitioners are found entitled to.”

3. At the outset, learned State counsel, Mrs. Nutan Sahay submits that actually the Bihar Land Tribunal in Case No. 921 of 2015 dismissed the case of the respondent nos. 5 and 6 and affirmed the order which was in favour of the petitioners. However, since liberty was granted to the petitioners of that case to file fresh application before appropriate forum, aggrieved, the



present petition.

4. Upon query, whether the respondent nos. 5 and 6 who lost the battle before the Tribunal have moved before any appropriate forum, the answer is in negative. Only on apprehension, this writ petition has been filed.

5. Learned counsel for the petitioner submits that with the passage of time, it has become infructuous as the respondent nos. 5 and 6 have not filed any petition before any appropriate authority as per their knowledge.

6. In that background, the writ petition stands disposed of.

(Rajiv Roy, J)

Adnan/-

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