

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19939 of 2016

Radha Krishana Paswan S/o Late Kaltu Paswan, village- Koshikapur, P.S.-
Narpatganj, District- Araria.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Sub-Divisional Officer, Forbisganj, District- Araria.
3. The Circle Officer, Narpatganj, District- Araria.
4. Asharfi Yadav, S/o late Mushaharu Yadav, village- Deviganj, P.S.-
Narpatganj, District- Araria.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar Singh, Advocate
For the Respondent/s : Mr. Viveka Nand Singh, GP-18

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-08-2025 Heard the parties.

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

*(i) for issuance of writ of certiorari for
setting-aside order dated 23.09.2016 passed
in B.L.T. case no. 396/2015 by Learned
Member Administrative, Bihar Land
Tribunal, Patna, whereby and whereunder
the Learned Tribunal pleased to allow the
application of Respondent no. 4 and
remanded the matter to Sub-Divisional
Officer, Forbisganj, on the ground that*



Circle Officer, Narpatganj, while allowing petitioner's claim under 48-D of B.T. Act, did not noticed respondent no. 4 and also that the order was passed against a dead person, but the Learned Tribunal failed to consider and even take note of the fact that respondent no. 4 had already appeared and contested the proceeding before Circle Officer, Narpatganj, and this fact duly brought on record by way of counter affidavit filed by State of Bihar;

(ii) for issuance of appropriate writ (s), or order (s) or direction (s) to declare and hold that the finding recorded in order of the court of Learned Circle Officer, Narpatganj, dated 08.08.98 in Case no. 72/92-93 and order dated 07.03.03 passed by Sub-Divisional Officer, Forbisganj in Appeal case no. 6/99-2000, declaring petitioner to be raiyat of the land in question u/s 48-D of B.T. Act, is correct and legal and passed after hearing the parties of the proceeding;



(iii) for issuance of appropriate order or orders, direction or directions for which the petitioner may be found entitled to.

3. Learned counsel for the petitioner submits that he may be permitted to withdraw the petition with liberty to seek appropriate remedy.

4. Accordingly, the same is dismissed as withdrawn.

(Rajiv Roy, J)

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