

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17785 of 2021

-
-
1. Anant Kumar Singh, Son of Murari Singh, Resident of Village - Dahiyawan Tola, P.O. Chapra, Police Station - Chapra Town, District- Saran (Chapra).
 2. Basant Kumar Singh, Son of Murari Singh, Resident of Village - Dahiyawan Tola, P.O. Chapra, Police Station- Chapra Town, District- Saran (Chapra).
 3. Biresh Kumar Singh, Son of Murari Singh, Resident of Village - Dahiyawan Tola, P.O. Chapra, Police Station- Chapra Town, District- Saran (Chapra).

... .. Petitioners

Versus

1. The State of Bihar
2. The Collector of the District (District Magistrate), Saran at Chapra.
3. The Additional Collector, Saran at Chapra.
4. The Deputy Collector, Land Reforms, Sadar, District - Saran.
5. The Circle Officer, Sadar, District - Saran.
6. Vinay Lal, Son of Late Mangru Lal, at present Resident of 1st floor, 13A/2 Subhash Pali, P.S. Netaji Nagar, Kolkata –700092 (West Bengal). Permanent resident of village - Dahiyawan Tola, P.O. -Chapra, Police Station - Chapra Town, District- Saran (Chapra).
7. Pramod Lal, Son of Late Mangru Lal, Resident of Village - Dahiyawan Tola, P.O. -Chapra, Police Station- Chapra Town, District- Saran (Chapra).
8. Nageshwar Manjhi, Son of Late Shiv Pujan Manjhi, Resident of Village - Dahiyawan Tola, P.O. Chapra, Police Station - Chapara Chapra Town, District- Saran (Chapra).
9. Nagendra Manjhi, Son of Late Shiv Pujan Manjhi, Resident of Village - Dahiyawan Tola, P.O. Chapra, Police Station - Chapara Chapra Town, District- Saran (Chapra).
10. Shambhu Manjhi, Son of Late Shiv Pujan Manjhi, Resident of Village - Dahiyawan Tola, P.O. -Chapra, Police Station - Chapra Town, District- Saran (Chapra).

... .. Respondents

Appearance :

For the Petitioners	:	Mr. Brij Kishor Mishra, Adv. Mr. Sachida Nand Rai, Adv.
For the Resp. No. 6	:	Mr. Ranjan Kumar Dubey, Adv. Mr. Kumar Gaurav, Adv. Mr. Shashank Kashyap, Adv. Ms. Sheshadri Kumari, Adv.
For the State	:	Mr. Sajid Salim Khan, Sr. Adv. (SC-25)

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH



ORAL ORDER

3 11-09-2025 The instant writ petition has been filed by the petitioners under Article 226 of the Constitution of India, invoking the writ jurisdiction of this Court, for the relief which reads as under :-

“1. That, this application is being filed for issuance of a writ in the nature of certiorari or any other appropriate writ or writs for quashing the order dated 19.03.2021 passed by Hon'ble Chairman, Bihar Land Tribunal, Patna in B.L.T. Case No.16 of 2021 vide which he has disposed off B.L.T. Case No.16 of 2021 with observation that the order passed by the Hon'ble Bihar Land Tribunal, Patna in B.L.T. Case No.384 of 2018 has been fully complied with.

AND/OR

For passing such other order or orders for which the petitioners will be found entitled in the eye of law.”

2. Heard Mr. Brij Krishor Mishra, learned counsel for the petitioners, Mr. Ranjan Kumar Dubey, learned counsel for the respondent No. 6 and Mr. Sajid Salim Khan, learned senior counsel for the State-respondents.

3. In this writ petition, the petitioners have challenged the order dated 19.03.2021 passed by the Bihar Land Tribunal, Patna (in short 'BLT, Patna') in BLT Case No. 16 of 2021 and the main grievance of the petitioners as stated during the course of argument is that the petitioners were not given an opportunity



of hearing and even notices were not sent to them and the impugned order dated 19.03.2021 was passed *ex parte*.

4. On the other hand, learned counsel appearing for the respondent No. 6 submits that in BLT Case No. 16 of 2021, there was no necessity to give an opportunity of hearing to the petitioners as the application upon which the BLT Case No. 16 of 2021 was instituted, mainly deals with the non-compliance of the directions given in the judgment dated 12.09.2019 passed in BLT Case No. 384 of 2018 and the same was passed with the consent of both the parties, where the petitioners were also one of the parties and in that matter, the direction given read as under : -

“ the Jamabandi No. 709 of Anchal Sadar Chapra shall remain as it was before the order as contained in Annexure-3 (Mutation Case No. 117 of 2006-07) was passed by the Circle Officer and the parties are set at liberty to get their dispute over the land in question determined before the competent Civil Court in accordance to law/rules.”

5. As the compliance of the direction of maintaining the Jamabandi No. 709 was concerned to the Circle Officer, Sadar Chapra, who did not comply, then the respondent No. 6 approached the BLT, Patna under section 12 of the Bihar Land



Tribunal Act (in short 'BLT Act') which simply deals with the provision of penalty for the contravention of the orders of the tribunal and the same is in a form of contempt, so, while passing the impugned order, the learned BLT, Patna was only to see the compliance of the order dated 12.09.2019 passed in BLT Case No. 384 of 2018 and accordingly, after submission of the show cause by the Circle Officer, Sadar Chapra showing the compliance of the order dated 12.09.2019 in BLT Case No. 384/2018; the BLT Case No. 16 of 2021 which was instituted on the application of the respondent No. 6, was disposed off.

6. After hearing learned counsel for the petitioners as well as learned counsel appearing for the respondent No. 6 including the learned counsel for the State-respondents, this Court finds substance in the aforesaid submissions made by learned counsel for the respondent No. 6 as in the impugned order dated 19.03.2021, the BLT, Patna, simply looked into the compliance of the order dated 12.09.2019 passed in BLT Case No. 384 of 2018 and there is no any kind of illegality in the same. Accordingly, this Court finds no merit in this writ petition, so, it stands dismissed.

7. Both the parties (petitioners and respondent No. 6) will have the same liberty as granted to them in the order dated



12.09.2019 passed by the BLT, Patna in BLT Case No. 384 of 2018, in respect of getting their dispute over the land in question determined before the competent civil court in accordance with law/rules and the time spent by them in this writ petition shall be excluded while computing the limitation period in connection with a case, if the same is filed by any of them.

(Shailendra Singh, J)

annu/-

U			
---	--	--	--

