

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12858 of 2023

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Sushil Kumar S/o Late Rajendra Sharma, Resident of Vill. - Anatpur, Pargana
Okri, P.S. - Ghosi, Distt. - Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
3. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
4. The District Education Officer, Jehanabad.
5. The District Magistrate Cum Collector, Jehanabad.
6. The District Land Acquisition Officer, Jehanabad.
7. The Circle Officer, Jehanabad.
8. The Circle Inspector, Jehanabad.
9. The Circle Amin, Jehanabad.
10. Zafar Imam, S/o Late Gulam Naqavi Mukhtar, Resident of Mohalla - Pach Mahala, P.O. and P.S. - Jehanabad, Distt. - Jehanabad.
11. Md. Zafir, Son of Late Fakhruddin Dhunia, Resident of Mohalla - Pathakpuri, P.S. - Jehanabad, Distt. - Jehanabad.
12. Md. Riyazuddin, Son of Late Fakhruddin Dhunia, Resident of Mohalla - Pathakpuri, P.S. - Jehanabad, Distt. - Jehanabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prashant Kashyap
For the Respondent/s : AC to AAG-12

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 04-02-2025 1. Heard learned counsel for the petitioner and learned AC to AAG-12, Mr. Asif Kalim.
2. The learned counsel appearing on behalf of the State, at the outset, submits that the writ application be dismissed on the grounds of delay and laches. It is further



submitted that petitioner is not the land owner rather had purchased the land from one Md. Fakhruddin in the year 1958. It is further submitted that the land in dispute was acquired *vide* L.A. Case No. 15 of 1966-67 and since then the petitioner never raised any objection, but all of a sudden in the year 2008 started raising objection. It is further submitted that for the same dispute, one Jafar Imam has filed CWJC No. 8210 of 2015 and the same is pending adjudication, on the ground that the land in dispute was gifted to him by Md. Fakhruddin.

3. The learned State counsel next submits that whether the land was gifted to Jafar Imam or the land was purchased by the petitioner from Md. Fakhruddin is an issue to be adjudicated by an authority competent, but then for the present it is submitted that the land was acquired in the year 1966-67 and all of a sudden in the year 2023, the instant writ application has been filed which amply demonstrates that petitioner, at his leisure, is moving.

4. The learned counsel appearing on behalf of the petitioner is not in a position to rebut the submission of the learned counsel appearing on behalf of the State that the land in question was acquired *vide* L.A. Case No. 15 of 1966-67 and the petitioner for the first time had moved before this Court in the



year 2023, as such, the writ application is dismissed on the grounds of delay and laches.

(Satyavrat Verma, J)

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