

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17488 of 2014

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Shyamjee Lal Nakhphopha son of Late Govind Lal Nakhphopha resident
Mohalla- Tilha Dharamshala, Eastern Road, Bahuar Chaura Road, P.S.- Civil
Line, District- Gaya

... .. Petitioner/s

Versus

1. The State Of Bihar Department of Land Reforms and Revenue, Government of Bihar, Patna
2. The Collector, Patna
3. The Gaya Municipal Corporation through the Municipal Commissioner, Gaya
4. The Superintendent of Survey, Gaya
5. The Deputy Collector Land Reforms, Sadar, Gaya
6. The Circle, Manpur, Gaya
7. Keshar Ravidas, Son of Late Kishun Ravidas, resident of village- Salempur, P.S.- Muffasil, Ward No. 31, District- Gaya
8. Abdul Jabbar son of Late Fazlu Mian
9. Mostt. Haseena Khatoon, wife of Late Md. Sultan
10. Md. Sultan
11. Md. Manan
12. Md. Sikandar
13. Md. Ganda
14. Md. Nanhak All minor sons of Late Sultan under the guardianship of his natural mother namely Mostt. Haseena
15. Ishrat Khatoon, wife of Fekumian, daughter of Late Md. Sultan All residents of Village- Salempur, P.S.- Mufassil, District- Gaya.
16. Munni, wife of Md. Idrish, daughter of Late Sultan, resident of Mohalla- Rahmatganj, District- Dhanbad, in the State of Jharkhand
17. Mostt. Jainab Khatoon, wife of late Abdul Halim
18. Md. Moin, son of Late Abdul Halim, Both resident of village Salimpur, P.S. Muffasil, District- Gaya

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.J.S. Arora, Sr. Advocate
For the State	:	Mr.Kumar Mangalam, Advocate
For PMC	:	Mr.Rabindra Kr. Priyadarshi, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER



2 01-07-2025 Heard the parties.

2. The present petition has been preferred for :-

“For quashing the order dated 5.10.2012, passed by the Circle Officer, Manpur Gaya, whereby demand were directed to be opened in favour of respondent no. 6 in Revenue register with regard to land appertaining to Mauza Salempur Thana no. 319. Khata no. 67, Plot (Old) 18(new) having an area of 4.75 acres of land in place of the petitioner, with a further direction of issue rent receipt in favour of the private respondent.

ii) Also for commanding the respondent to continue, the name of the petitioner to be recorded in revenue records in terms of order dated 23.4.2012, passed by the learned Deputy Collector Land Reform, Sadar, Gaya with regard to the land in question, pursuant to the order dated 23.2.2012, passed in C.W.J.C. No. 10269 of 2010.

iii) Also for any other appropriate relief/ reliefs to which the petitioner is either entitled in the eye of law and in the facts and circumstances of the case.”

3. At the outset, learned Senior Counsel, Mr. J.S.

Arora submits that Shyamji Lal Nakhphopha, who preferred this petition is no more and subsequently, his son, Manoj Lal



Nakhphopha filed another writ petition vide CWJC No.3290 of 2019 (Manoj Lal Nakhphopha vs. State and ors.) in which coordinate Bench vide an order dated 19.06.2025, taking note of the fact that regarding the suit land vide **Title suit no.199 of 2005** has been preferred by the petitioner (Manoj Lal Nakhphopha) while respondents have preferred **Title suit no.196 of 2005** which is pending before the learned Sub-Judge, Gaya.

4. Accordingly, the writ petition was disposed off, directing the parties to file their respective Interlocutory Applications for transfer before the learned District and Sessions Judge where two Title Suits in under whose jurisdiction all the Title Suits are pending, so that he can take immediate decision.

5. Learned Senior counsel submits that since Shyamji Lal Nakhphopha is no more and the only heir, Manoj Lal Nakhphopha has already been directed to agitate the matter in the competent civil court in the aforesaid Title Suits, the present writ petition can be disposed off as having become infructuous since no substitution petition was filed; the points raised in the petition be also taken into consideration in the aforesaid title suit as it relates to the same suit land.



6. In that background and taking note of the aforesaid order passed in **CWJC No.3290 of 2019** as also that the petitioner is no more, the writ petition is disposed off as infructuous.

(Rajiv Roy, J)

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