

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17162 of 2025

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1. Sunita Devi W/o Shiv Narayan Yadav R/o Village- Gobargadha, Tola-Jarsain, P.S. and Distt.- Saharsa.
 2. Rekha Devi, W/o Bindeshwari Prasad Yadav R/o Village- Gobargadha, Tola-Jarsain, P.S. and Distt.- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Saharsa.
2. The Deputy Collector, Land Reforms, Saharsa Sadar, Distt.- Saharsa.
3. The Circle Officer, Saharsa, P.S. and Distt.- Saharsa.
4. Upendra Kumar, Son of Late Baso Kumar Resident of Village- Gobargadha, Tola- Jarsain, P.S. and District- Saharsa.
5. Birendra Kumar, Son of Late Baso Kumar Resident of Village- Gobargadha, Tola- Jarsain, P.S. and District- Saharsa.
6. Bhupendra Kumar, Son of Late Baso Kumar Resident of Village- Gobargadha, Tola- Jarsain, P.S. and District- Saharsa.
7. Rabindra Kumar, Son of Late Baso Kumar Resident of Village- Gobargadha, Tola- Jarsain, P.S. and District- Saharsa.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Krishna Prabhat, Adv.
For the Respondent/s : Mr. Prashant Pratap, GP-2

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 13-11-2025 The instant writ application has been filed under Article 226 of the Constitution of India by the petitioners seeking the following relief(s):

"1. That this writ application is being filed on behalf of the petitioners above named for issuance of writ in the nature of Mandamus, directing and commanding to the respondents



authority (Respondent No-2), to dispose of the Misc. Case No. 2/2010-11, with reasoned and speaking order, filed by Respondent No. 4 to 7, after hearing to the petitioners within 3 months and or pass such other order/orders, as this Hon'ble Court think fit and proper in the facts and circumstances of this case."

2. Mr. Krishna Prabhat, learned counsel appearing for the petitioners and Mr. Prashant Pratap, learned counsel appearing for the State-respondents are present and they are heard.

3. The main grievance raised by the petitioners in this writ application is that Misc. Case No. 2/2010-11 has not yet been decided by the D.C.L.R., Saharsa, (respondent no.2), despite the same being pending since 2010-11.

4. Although, this court finds that the issue which is a subject matter of the Misc. Case No. 2/2010-11 is premature for consideration of this court under Article 226 of the Constitution of India but with regard to the lethargic approach of respondent no.2 in not deciding the said case, this court is not satisfied with the explanation furnished by State-respondents for keeping the said case pending since 2010-11. Accordingly, considering this aspect, respondent no. 2 is directed to decide the said case i.e. Misc. Case No. 2/2010-11 within three months from the date of



receipt or production of this order's copy according to its merits
after giving sufficient opportunity of hearing to all the parties.

5. With above direction, the instant writ petition
stands disposed of.

(Shailendra Singh, J)

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