

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23117 of 2018

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1. Manoj Kumar Sharma and Ors Son of Sri Shankar Thakur Resident of Mohall- Pani Tanki, near Central Jail, Tilka Manjhi, p.s. Zero Mile, Distt. Bhagalpur.
 2. Md. Shahid Son of Md. Abbas Haidar Resident of Mohalla- bari Khanjarpur Masjid Lane, P.s. barari,distt. Bhagalpur.
 3. Pramod Prasad Son of Late Ganesh Prasad Rai Resident of Mohala- Mishra Tola, Bari Khanjarpur, P.s. Barari, Distt. Bhagalpur.
 4. Raj Kishor Kumar Ray Son of Bhim Ray Resident of village- Kadua Pratap Nagar, P.s. Naugachia, Distt. Bhagalpur.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The Collector, Bhagalpur
3. The Additional Colelctor, Bhagalpur
4. The S.D.M., Sadar, Bhagalpur.
5. The Deputy Collector, Land Reforms, Bhagalpur, Distt. Bhagalpur.
6. The Circle Officer, Nath Nagar, Distt. Bhagalpur.
7. Krishana Nand Singh
8. Sahja nand Singh Both sons of Late Vakil Singh
9. Vyas Mani Singh
10. Sita Ram Singh
11. Abhaya Nand Singh
12. Nageshwar Prasad Singh All 9 to 12 sons of Late Surya Narain Singh All 7 to 12 residents of village shahpur, p.s. Nathnagar, Distt. Bhagalpur.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 23031 of 2018

1. Chhavi Narayan Singh son of Late Saudagar Singh resident of Village-Supour Jamuar, P.S. Sangrampur, District- Munger.
2. Yashwant Kumar Singh son of Late Ugra Mohan Singh resident of Village-Supour Jamuar, P.S. Sangrampur, District- Munger.
3. Arun Kumar Singh son of Late Ugra Mohan Singh resident of Village-Supour Jamuar, P.S. Sangrampur, District- Munger.
4. Rekha Singh W/o Late Anand Singh resident of Janta R.O. House 117, Near Bhola Akhohra, P.S. Adityapur, District- Saraikela (Kharsama) (Jharkhand).

... .. Petitioner/s



Versus

1. The State Of Bihar.
2. The Collector, Bhagalpur
3. The Additional Collector Bhagalpur.
4. The S.D.M. Sadar Bhagalpur.
5. The Deputy Collector, Land Reforms Bhagalpur, District- Bhagalpur.
6. The Circle Officer, Nath Nagar District- Bhagalpur.
7. Krishna Nand Singh son of Late Vakil Singh resident of Village- Shahpur, P.S. Nathnagar, District- Bhagalpur.
8. Pushkar Kumar son of Late Sailja Nand Singh resident of Village- Shahpur, P.S. Nathnagar, District- Bhagalpur.
9. Bhashkar Kumar son of Late Sailja Nand Singh resident of Village- Shahpur, P.S. Nathnagar, District- Bhagalpur.
10. Shankar Kumar son of Late Sailja Nand Singh resident of Village- Shahpur, P.S. Nathnagar, District- Bhagalpur.
11. Vyas Mani Singh son of Late Surya Narain Singh resident of Village- Shahpur, P.S. Nathnagar, District- Bhagalpur.
12. Gauri Devi Wife of Late Sita Ram Singh resident of Village- Shahpur, P.S. Nathnagar, District- Bhagalpur.
13. Prabhat Kumar Singh son of Late Sita Ram Singh resident of Village- Shahpur, P.S. Nathnagar, District- Bhagalpur.
14. Prabhash Kumar Singh son of Late Sita Ram Singh resident of Village- Shahpur, P.S. Nathnagar, District- Bhagalpur.
15. Daizy Daughter of Late Sita Ram Singh resident of Village- Shahpur, P.S. Nathnagar, District- Bhagalpur.
16. Ruby Daughter of Late Sita Ram Singh resident of Village- Shahpur, P.S. Nathnagar, District- Bhagalpur.
17. Abhaya Nand Singh Son of Late Surya Narain Singh resident of Village- Shahpur, P.S. Nathnagar, District- Bhagalpur.
18. Nageshwar Prasad Singh son of Late Surya Narain Singh resident of Village- Shahpur, P.S. Nathnagar, District- Bhagalpur.
19. Arun Kumar Singhaniya son of Badri Prasad Singhaniya resident of Mohalla- Khalif Bag, D.N. Singh Road, P.S. Kotwali, District- Bhagalpur.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 23611 of 2018

1. Lal Bahadur Singh S/o Late Girja Prasad Singh Resident of Tilka Manjhi, Hatia, Bank Colony, P.S. Tilka Manjhi, Dist.-Bhagalpur
2. Sarita Pathak W/o Rajesh Kumar Pathak Resident of Mohalla- Jawaripur, near Brilliant School, P.S. Tilka Manjhi, Dist.-Bhagalpur



3. Ashok Singh S/o Late Tulsi Singh Resiedent of Mohalla-Tilka Manjhi,Bank Colony,P.S. Tilka Manjhi,Dist.Bhagalpur

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The Collector, Bhagalpur
3. The Additional Collector, Bhagalpur
4. The S.D.M.,Sadar, Bhagalpur
5. The Deputy Collector, Land Reforms,Bhagalpur,Dist.Bhagalpur
6. The Circle Officer,Nath Nagar, Dist.-Bhagalpur
7. Krishna Nand Singh S/o Late Vakil Singh Resident of Village Sahpur,P.S. Nathnagar,Dist.-Bhagalpur
8. Pushkar Kuamr S/o Late Sailja Nand Singh Resident of Village Sahpur,P.S. Nathnagar,Dist.-Bhagalpur
9. Bhashkar Kumar S/o Late Sailja Nand Singh Resident of Village Sahpur,P.S. Nathnagar,Dist.-Bhagalpur
10. Shankar Kumar S/o Late Sailja Nand Singh Resident of Village Sahpur,P.S. Nathnagar,Dist.-Bhagalpur
11. Vyas Mani Singh S/o Late Surya Narain Singh Resident of Village Sahpur,P.S. Nathnagar,Dist.-Bhagalpur
12. Gauri Devi W/o Late Sita Ram Singh Resident of Village Sahpur,P.S. Nathnagar,Dist.-Bhagalpur
13. Prabhat Kumar Singh S/o Late Sita Ram Singh Resident of Village Sahpur,P.S. Nathnagar,Dist.-Bhagalpur
14. Prabhash Kumar Singh S/o Late Sita Ram Singh Resident of Village Sahpur,P.S. Nathnagar,Dist.-Bhagalpur
15. Daizy D/o Late Sita Ram Singh Resident of Village Sahpur,P.S. Nathnagar,Dist.-Bhagalpur
16. Duby D/o Late Sita Ram Singh Resident of Village Sahpur,P.S. Nathnagar,Dist.-Bhagalpur
17. Abhay Nand Singh S/o Late Surya Narain Singh Resident of Village Sahpur,P.S. Nathnagar,Dist.-Bhagalpur
18. Nageshwar Prasad Singh S/o Late Surya Narain Singh Resident of Village-Shahpur,P.S. Nathnagar,Dist.-Bhagalpur

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 23117 of 2018)

For the Petitioner/s	:	Mr. Shravan Kumar, Sr. Advocate Mr. Anjani Kr. Sinha, Advocate Ms. Muskan Singh, Advocate Ms. Monika Singh, Advocate
For the Respondent/s	:	Mr. Dhurjati Kr. Prasad, GP-14



(In Civil Writ Jurisdiction Case No. 23031 of 2018)

For the Petitioner/s : Mr. Pranav Kumar Jha, Advocate

For the Respondent/s : Mr. Rishi Raj Sinha, SC-19

(In Civil Writ Jurisdiction Case No. 23611 of 2018)

For the Petitioner/s : Mr. Pranav Kumar Jha, Advocate

For the Respondent/s : Mr. Sajid Salim Khan, SC-25

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 13-01-2026 Heard Mr. Shravan Kumar, learned Senior counsel for the petitioners (in CWJC No. 23117 of 2018), Mr. Chaudhary Shyam Nandan, learned counsel for the petitioners (in CWJC No. 23031 of 2018) and Mr. Anjani Kumar Sinha, learned counsel for the petitioners (in CWJC No. 23611 of 2018) and the State.

2. As the parties have submitted that the prayer is same in all the other writ petitions, in that background, the case of CWJC No. 23117 of 2018 (Manoj Kumar Sharma and Ors. vs The State of Bihar and Ors.) is being incorporated hereinbelow:-

“That this application is being filed against the order dated 9.7.2018 passed in B.L.T. Case No.320/2013 by the Chairman, the Bihar Land Tribunal, Patna by which the learned Chairman, while exercising the jurisdiction U/S 14 of the B.L.T. Act has declared the order passed by learned S.D.M., Bhagalpur in Misc. Case No.



883/02 dated 25.4.2003 without jurisdiction and void and as much as directed that the Jamabandi of the land in question as it was before the order dated 25.4.2003 passed in Misc. Case No. 883/2002 passed by the learned S.D.M., Sadar, Bhagalpur shall be maintained and shall be subject to final judgment an decree to be passed in the T.S. filed either of the parties for determination/adjudication of their claim over the land in question, however, the learned Tribunal has passed the aforesaid order contrary to the law and as much as the fact that this substantive T.S. bearing T.S. No. 73/2010 is already pending for disposal regarding determination/adjudication of the claim of the parties over the land in question before the competed court of civil jurisdiction and as much as the facts that the learned Tribunal as completely exercised the jurisdiction U/S 14 of the said Act declaring the order dated 25.4.2003 passed by the learned S.D.M., Bhagalpur being void, beyond the scope of Section 14 of the Act and further for a direction to the Respondent



authorities to allow the petitioners to continue the Jamabandi running in their respective names having their possession over the land since long and further for any other relief or reliefs the petitioners are entitled in the facts and circumstances of the case.”

3. Learned State counsel at the outset submits that the Title Suit No. 73 of 2010 is pending before a competent Civil Court at Bhagalpur where the parties can agitate/contest so that the same is taken to its logical conclusion.

4. Mr. Shravan Kumar, learned Senior counsel for the petitioners submit that they are ready to contest the said Title Suit but certain observation made by the BLT while disposing of the petition may effect the outcome of the Title Suit.

5. Learned State counsel submits that once the Title Suit is pending, the parties are free to adduce evidence and make their respective submissions so that the same is taken to its logical conclusion and in that background, the order of the BLT may not have any relevance in the case.

6. This Court is also of the opinion that when the Title Suit No. 73 of 2010 is pending before the competent Civil Court, Bhagalpur and the parties have already appeared, the



same has to be taken to its logical conclusion without being influenced by any of the order/observation made by any of the Court much less the BLT.

7. The writ petition as also the interlocutory application, if any, stand disposed of with aforesaid observation.

(Rajiv Roy, J)

Adnan/-

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