

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6358 of 2015

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Paspat Choudhary son of Late Gopi Chand Choudhary, resident of village
Baghi Kanu Tola, P.S. - Bairia Anchal Bariya District West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Anchaladhikari, Bariya Anchal
3. The Additional Collector, Bettiah
4. The Commissioner, Tirhut Pramandal, Muzaffarpur.
5. Hari Choudhary @ Harihar Choudhary son of Kidarth Choudhary
resident of Bagahi, Kanu Tola, P.S. Bariya, District West Champaran.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Arbind Kumar Sharma, Advocate

For the Respondent/s : G.A.- 6

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 22-07-2015 The petitioner has questioned the order dated 08.12.2014

passed in Settlement Revision Case No. 147 of 2012 by the

Commissioner, Tirhut Division, Muzaffarpur.

Considering of the provisions underlying the Bihar Land
Tribunal Act, 2009 (hereinafter referred to as 'the act') and the list
of enactments mentioned under Section 9 thereof which includes
the Bihar Special Survey and Settlement Act, 2011 as well as the
Statement Manual and considering that the petitioner claims right,
title and interest over the land in question by virtue of settlement,
the petitioner has an alternative remedy before the tribunal to
question the order impugned.

The writ petition is accordingly disposed of with the

direction to the petitioner to exhaust the alternative remedy so available to him under 'the act'.

Mr. Arbind Kumar Sharma, learned counsel appearing on behalf of the petitioner submits that the limitation prescribed under Section 9 of 'the act' has since expired during the pendency of this application.

Considering the submissions of learned counsel and taking into consideration the provisions underlying Section 14 of 'the act' whereunder the Tribunal is vested with jurisdiction to condone the delay, the petitioner may pray for condonation of the same by filing an appropriate application and which shall be considered by the Tribunal in the backdrop of the pendency of the issue before this Court.

S.Sb/-

(Jyoti Saran, J)

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