

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 4041 of 1995

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Md Shahabuddin Ahmad @ Tamanna Faridi son of Maulavi Fariduddin, resident of
Village – Deora Buzurg @ Baligar, PS – Runi Saidpur, District - Sitamarhi
..... Petitioner/s

Versus

1 The State of Bihar
2 The Addl Member, Board of Revenue, Patna
3 The Collector, Sitamarhi
4 The Additional Collector, Sitamarhi
5 Smt Jyotsna Mehta, wife of Pashupati Nath Mehta, resident of Mohalla –
Chandwara, PS – Muzaffarpur, Town & District - Muzaffarpur
..... Respondent/s

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Appearance :

For the Petitioner/s : N O N E

For the S t a t e : Mr Harsh Singh, AC to GP II

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CORAM: HON'BLE MR JUSTICE NAVANITI PRASAD SINGH

ORAL JUDGMENT

Date: 07-05-2015

No one appears for the petitioner. Heard learned
counsel for the State.

2 The petitioner claims to be the Sikmidar of certain
lands shown in the name of respondent No 5, namely, Smt Jyotsna
Mehta. The writ petition is founded on the fact that it is his lands that
have been declared ceiling surplus in a proceeding under the ceiling
law treating it to be the land of respondent No 5.

3 The counter affidavit categorically states that so far
as the notification under Section 15 (1) of Bihar Land Reforms
(Fixation of Ceiling Area and Acquisition of Surplus Land) Act (for
brevity, *the Act*) in respect of respondent No 5 is concerned, it does

not show the lands, as claimed by the petitioner, to be included therein. In other words, what is stated in the counter affidavit is that the lands, as claimed by the writ petitioner though were subject matter of proceedings under the Act in respect of respondent No 5, they have not been declared surplus. If that be so, then in my view and in view of the statement made in the counter affidavit, the writ petitioner has no grievance as his lands are not being touched.

4 In that view of the matter, the writ petition stands disposed of.

(Navaniti Prasad Singh, J)

M.E.H./-

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