

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.213 of 2014

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1. Md. Shahjahan Son of Late Jamiruddin Resident of Village- Sukhan, P.S.- Meherama, District- Godda

2. Md. Ajmal Son of Late Jamiruddin Resident of Village- Sukhan, P.S.- Meherama, District- Godda

3. Md. Mukhtar Son Of Late Jamiruddin Resident of Village- Sukhan, P.S.- Meherama, District- Godda

4. Md. Akhtar Son of Late Jamiruddin Resident of Village- Sukhan, P.S.- Meherama, District- Godda

5. Bibi Gulshan D/O Late Jamiruddin Resident of Village- Narayanpur, P.S.- Manihari, District- Katihar

6. Bibi Naseema D/O Late Jamiruddin Wife of Tajuddin Resident of Village- Itwa, P.S.- Gangti, District- Godda

.... Petitioner/s

Versus

1. The State of Bihar

2. The Collector, Katihar

3. The Additional Collector, Katihar

4. The Dy. Collector Land Reforms, Manihari, District- Katihar

5. The Circle Officer, Manihari, District- Katihar

6. Bibi Kulsum Wife of Sk. Riyazuddin Resident of Village- Narayanpur, P.S.- Manihari, District- Katihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha, Adv.

For the Respondent/s : Mr. Manoj Kr. Ambastha, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

6 21-07-2015 Learned counsel for the parties are present.

The petitioners have questioned the order dated 27.9.2013 passed by the Additional Collector, Katihar in Mutation Revision Case No. 420 of 2013 whereby the revision has been dismissed and the order of the Deputy Collector Land Reforms dated 2.1.2013 granting mutation in favour of the private respondent,

has been affirmed.

In view of the provisions underlying Section 9 of the Bihar Land Tribunal Act, 2009 (hereinafter referred to as 'the Act'), the petitioners have an alternative remedy before the Tribunal and the writ petition is accordingly disposed of requiring the petitioners to exhaust the alternative remedy so available to them.

Mr. Mukesh Kumar Jha, learned counsel for the petitioners have submitted that during the pendency of the proceedings before this Court, the period of limitation prescribed under Section 9 of 'the Act' has expired but considering the power vested in the Tribunal under Section 14 of 'the Act', the petitioners shall be at liberty to file an application to that effect and which shall be considered by the Tribunal in the backdrop of the pendency of the matter before this Court.

(Jyoti Saran, J)

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