

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14507 of 2013

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Abhay Kumar Pathak, S/O Late Nageshwar Pathak, Resident Of Village -
Rajendra Nagar, P.S. Khajanchi Hat, District - Purnea

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Secretary, Revenue and Land Reforms Department, Govt. Of Bihar, Patna
3. The Dy. Secretary Revenue and Land Reforms Department, Govt. Of Bihar, Patna
4. The Collector, Purnea
5. The Additional Collector, Ceiling, Purnea
6. The Land Reforms Dy. Collector, Sadar, Purnea
7. Arun Kumar Pathak
8. Uday Kumar Pathak

Both are S/O Late Nageshwar Pathak, Resident Of Village - Rajendra Nagar, P.S. Khajanchi Hat, District - Purnea

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shri Prakash Srivastava, Adv. Mr. Amit Bhushan, Adv.
For the Respondent nos.1to6	:	Mr. Satyeshwar Prasad, AC to GP-9
For the Respondent no.8	:	Mr.Anil Kumar Jha, Sr.Adv. Mr.Manoj Madhav, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 07-12-2015

Heard the parties.

Admittedly, for grant of appropriate relief(s) with respect to the lands claimed by the petitioner, he has already filed a petition under Section 45-B of The Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (in short 'Land Ceiling Act'), which, according to the learned counsel for the petitioner, is still pending before the Hon'ble Revenue Minister, Government of Bihar, Patna.

The learned senior counsel appearing on behalf of the respondent no.8, submits that two parallel proceedings cannot be permitted to be pursued by the petitioner for same and common

reliefs.

In above view of the matter, the writ petition is dismissed with a liberty to the petitioner to pursue his remedy in the pending proceeding filed under Section 45-B of the Land Ceiling Act.

It goes without saying that, before passing any final order in the aforesaid pending proceeding under Section 45-B of the Land Ceiling Act, an opportunity of hearing shall be given by the State Government to the petitioner as also the respondent nos. 7 and 8, besides others.

(Birendra Prasad Verma, J)

Arvind/-

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