

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 5013 of 2009

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1. Parvej Alam
 2. Firoj Alam @ Md. Firoj Alam
 3. Mahfooj Alam, all sons of Late Md. Mumtaz Ahmad, all resident of village – Chak Bhikhan alias Shahikhan Nawa, Pargana- Saraisa, P.S. Dalsingsarai, District Samastipur.

.... Petitioners

Versus

1. The State of Bihar
2. The Additional Member, Board of Revenue, Bihar.
3. The Collector, Samastipur.
4. The Additional Collector, Samastipur.
5. The D.C.L.R. Dalsingsarai, District Samastipur.
6. Anjoom Bano alias Bibi of Md. Jakir, R/o Vill. Maulbichak Nawada, P.S. Dalsingsarai, District Samastipur.
7. Aasma Khatoon, wife of Md. Ishalam, R/o Vill. Kamraun, P.S. Dalsingsarai, District Samastipur.
8. Lailoon Nisa wife of Md. Mustafa, R/o Vill. Paran, P.S. Dalsingsarai, District – Samastipur.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. L.K.Yadav

For the Respondent/s : AC to GP - 30

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 29-04-2015 Heard Sri Laxman Kumar Yadav, learned counsel for petitioners and learned A.C. to Govt. Pleader – 30.

Petitioners, claiming right of pre-emption, had approached the court of D.C.L.R., Dalsingsarai under Section 16(3) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961, which was allowed, whereas the purchaser had claimed that she was landless person. Subsequently, the purchaser preferred an appeal, which was allowed by the Additional Collector, Samastipur, on the ground

that the purchaser was landless person. The order of the Addl. Collector has also been approved by the revisional court i.e. Addl. Member, Board of Revenue. It was not disputed that the purchaser was landless person.

In view of the fact that the purchaser was landless person, I do not find defect in either of the two orders i.e. order of the Addl. Collector and order of the Addl. Member, Board of Revenue.

The writ petition stands dismissed.

(Rakesh Kumar, J.)

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