

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7844 of 2009

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1. Vashistha Pandey
 2. Vakil Pandey
 3. Lallan Pandey
 4. Komal Pandey, All sons of late Baleshwar Pandey.
 5. Most. Chhathia Devi, wife of Late Mukhtar Pandey
All residents of village and P.S. Chaura, P.S. Buxar (Muffasil), District
Buxar.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Circle Officer, Chausa, District- Buxar.
3. Ramjagi Rajak,
4. Ram Swarup Rajak
Both sons of late Bijali Dhobi, residents of village and P.O. Chausa,
P.S. Buxar (Muffasil), District- Buxar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ras Bihari Thakur

For the Respondent No.1 & 2 : Mr. Shashi Shekhar Pd Sinha, AC to GA 13

For the Respondent No.3 & 4 : Md. Md. Waliur Rahman

Mr. Krishna Kant Tiwary

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

6 21-08-2015 Heard the parties.

The petitioners are aggrieved by the order dated 05.03.2009 (Annexure-1) passed in Case No. 5 of 2008-09 by the respondent Circle Officer, Chausa, district Buxar under the provisions of Bihar Privileged Persons Homestead Tenancy Act. 1947 (In short “Act 1947”) allowing the claim of Basgit Parcha in favour of respondent no. 3 and 4 with respect to the lands under dispute.

Admittedly, under the provisions of Section 21 of the Act, 1947, the petitioners have alternative and efficacious remedy before the District Collector, but without exhausting the alternative remedy they have approached this Court in the present

proceeding.

In that view of the matter, the present writ petition is dismissed. However, the petitioners shall be at liberty to approach the District Collector under Section 21 of the Act, 1947 for grant of appropriate relief.

(Birendra Prasad Verma, J)

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