

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.335 of 2009

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1. Bindeshwar Yadav @ Bindeshwari Yadav, son of Ramji Yadav
2. Bechu Yadav, son of Basudeo Yadav
Both are resident of village-Amrori, P.S.-Fulkaha, District-Araria
..... Petitioner/s

Versus

1. The State of Bihar
2. The Collector, Araria.
3. Ajay Kumar Chaturvedi
4. Vijay Kumar Chaturvedi
5. Lalit Kumar Chaturvedi

The respondent nos.3 to 5 are sons of Late Ratan Kumar Chaturvedi,
resident of village-Nawabgunj, P.S.-Fulkaha (Narpatgunj), District-Araria.
..... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh
For the Respondent nos.1&2: Mr. Kamlesh Kishore, AC to GP-2

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

5 03-08-2015

Heard the parties.

By the impugned order dated 25.09.2007(Annexure-1) passed in Case No.8/2001-02 by the respondent District Collector, Araria, the petition filed on behalf of the petitioners under Section 45B of Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (in short 'Act') has been rejected and the proceeding was dropped on the ground that, in view of the amendment brought in Section 45B of the Act by Bihar Act 8 of 1997, the District Collector is no longer authorized to hear and decide the petition filed under Section 45B of the Act.

After having heard the parties, this Court does not find any legal infirmity in the impugned order dated 25.09.2007 (Annexure-1). Admittedly, when the aforesaid petition was filed on behalf of the petitioners on 06.08.2001, the respondent District Collector was not authorized to hear and decide such petition.

Therefore, he has rightly rejected the aforesaid petition.

There is no merit in this case. It is, accordingly, dismissed.

However, the petitioner, if so advised, may approach the prescribed authority for grant of an appropriate relief.

(Birendra Prasad Verma, J)

Arvind/-

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