

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16481 of 2011

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Bibi Shakeela Khatoon, w/o Md. Jahur Alam, resident of village Mushapur,
P.O. and P.S. Korha and District Katihar

.... Petitioner/s

Versus

1. The State of Bihar through Collector, Katihar, Collectorate, Dt.-
Katihar

2. The Addl. Collector Katihar, Collectorate Katihar, Dt. Katihar

3. The D.C.L.R. Katihar S.D.O Office Compound katihar

4. The circle office Korha Anchal At and PO Korha Dt. Katihar

5. Md. Jyiaul Haque, s/o Late Shakurrudin

6. Md. Matiur Rehman s/o Late Shakurrudin

Both resident of village Mushapur , P.O. and P.S. Korha District Katihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Praween Kumar Jaipuriar

For the Respondent/s : Mr. Anisur Rahman

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 06-07-2015 Heard learned counsel for the petitioner, learned AC to

SC No. 11 as well as Mr. Anisur Rahman, learned counsel for the

private respondent.

The present writ petition has been preferred under

Article 226 of the Constitution of India against an order dated

22.6.2011 passed by Additional Collector, Katihar in Mutation

Revision Case No. 804 of 2000-01/ 51 of 2010-11/ 10 of 2011-12

only on the ground that under the provisions of Section 16 of the

Bihar Tenants' Holdings (Maintenance of Records) Act, 1973

(hereinafter referred to as the "Act") it was the Collector of the

district who was authorized to exercise the power of Revision,

however, in the present case this power was exercised by the

Additional Collector and as such, the order is liable to be set aside.

Fact remains that the issue has already been set at rest by a division bench of this court in a case reported in 2011(3) PLJR 422 (Amarendra Kumar Singh vs. The State of Bihar & Ors.). Moreover, in the year 2008 itself the Additional Collector was already authorized Revisional court's jurisdiction under the Act.

I do not find any defect in the order.

The writ petition stands dismissed.

(Rakesh Kumar, J)

Praful/-

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