

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21360 of 2012

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Md. Sayeed Ali S/O Late Din Mohammad R/O Village- Chamrapara, P.O.-
Dharhan, Via- Mahadeopur, District Katihar

.... Petitioner/s

Versus

1. The State of Bihar
2. Revenue Minister, Government of Bihar, Patna
3. Collector, Katihar
4. Additional Collector, Ceiling, Katihar
5. S.D.O., Katihar
6. L.R.Dy.C., Katihar
7. Anchal Adhikari, Pranpur, P.S. Pranpur, Distt.- Katihar

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.21386 of 2012

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Gopish Mandal S/O Late Govind Mandal, resident of Village Surjana, P.O.
Baina, Via Mahadeopur, P.S. Pranpur, District Katihar, Pin-854116.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Revenue Minister, Government of Bihar, Patna.
3. Collector, Katihar.
4. Additional Collector, Ceiling, Katihar.
5. S.D.O., Katihar.
6. L.R. Dy. C. Katihar.
7. Anchal Adhikari, Pranpur, P.S. Pranpur, District Katihar.
8. Pagla Hansda S/O Late Pradhan Hansda, resident of Village Pathwara,
P.O. Baina, P.S. Pranpur, District Katihar, Pin-854116.
9. Musa Hansda S/O Late Pradhan Hansda, resident of Village Pathwara,
P.O. Baina, P.S. Pranpur, District Katihar, Pin-854116.

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.21396 of 2012

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Azizur Rahman S/O Late Abdul Samad R/O Village- Teliabad, P.O.- Baina,
Via- Mahadeopur, P.S.- Pranpur, District- Katihar, Pin-854116

.... Petitioner/s

Versus

1. State of Bihar
2. Revenue Minister, Government of Bihar, Patna
3. Collector, Katihar
4. Additional Collector, Katihar
5. S.D.O., Katihar
6. L.R.Dy.C., Katihar
7. Anchal Adhikari, Pranpur, P.S.- Pranpur, Distt.- Katihar
8. Tala Soren S/O Bhola Soren R/O Village- Patharwar, P.O.- Baina, P.S.-
Pranpur, Distt.- Katihar, Pin-854116



.... Respondent/s

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with

Civil Writ Jurisdiction Case No.21467 of 2012

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Muzibur Rahman S/O Late Riazuddin, resident of Village - Teliabad, P.O. - Baina, Via Mahadeopur, P.S. Pranpur, District - Katihar Pin - 854116

.... Petitioner/s

Versus

- 1. The State of Bihar
- 2. Revenue Minister, Government of Bihar, Patna
- 3. Collector, Katihar
- 4. Additional Collector, Ceiling , Katihar
- 5. S.D.O., Katihar
- 6. D.R.Dy.C. , Katihar
- 7. Anchal Adhikari, Pranpur, P.S. Pranpur, District - Katihar

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.21478 of 2012

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- 1. Ashok Kumar Mandal son of Late Hari Das Mandal, resident of Village - Surjana P.O. - Baina, Via Mahadeopur, P.S. Pranpur District - Katihar, Pin - 854116
- 2. Shukhdeo Mandal S/O Late Baijnath Mandal, resident of Village - Surjana P.O. - Baina, Via Mahadeopur, P.S. Pranpur District - Katihar, Pin - 854116

.... Petitioner/s

Versus

- 1. The State of Bihar
- 2. Revenue Minister, Government of Bihar, Patna
- 3. Collector, Katihar
- 4. Additional Collector, Ceiling, Katihar
- 5. S.D.O. Katihar
- 6. L.R.D.C., Katihar
- 7. Anchal Adhikari, Pranpur, P.S. Pranpur, District - Katihar
- 8. Pagla Hansda son of Late Pradhan Hansda, resident of Village - Patharwar, P.O. - Baina, Via Mahadeopur District - Katihar, Pin 854116

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.21527 of 2012

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Habibur Rahman S/O Late Abdul Samad, resident of Village- Telibad, P.S- Baina, P.O- Baina, Via- Mahadeopur, P.S- Pranpur, District- Katihar,Pin- 854116

.... Petitioner/s

Versus

- 1. The State of Bihar
- 2. Revenue Minister, Government of Bihar, Patna.
- 3. Collector, Katihar.

- 4. Additional Collector, Ceiling, Katihar.
- 5. S.D.O. Katihar.
- 6. L.R.Dy.C.Katihar.
- 7. Anchal Adhikari, Pranpur, P.S- Pranpur, District- Katihar.
- 8. Bhaju Tudu S/O Jiwan Tudu, resident of Village- Patharwar,P.S-Pranpur, District- Katihar.

.... Respondent/s

Appearance :

(In CWJC No.21360 of 2012)

For the Petitioner/s : None

For the Respondent Nos. 1 to 7 : Mr. Kamlesh Kishore, AC to GP 2

(In CWJC No.21386 of 2012)

For the Petitioner/s : None

For the Respondent Nos.1 to 7 : Mr.Lokesh Kumar Singh, AC to SC 26

(In CWJC No.21396 of 2012)

For the Petitioner/s : None

For the Respondent Nos.1 to 7 : Mr. Sunil Kumar Mandal, SC 24

Mr.Bipin Kumar, AC to SC 24

(In CWJC No.21467 of 2012)

For the Petitioner/s : None

For the Respondent Nos.1 to 7 : Ms. Bandana Singh, AC to SC 25

(In CWJC No.21478 of 2012)

For the Petitioner/s : None

For the Respondent Nos. 1 to 7 : Mr. Mahboob Ashraf, AC to SC 27

(In CWJC No.21527 of 2012)

For the Petitioner/s : None

For the Respondent Nos. 1 to 7 : Mr. Manoj Kumar, AC to GA 10

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

8 13-10-2015 Despite repeated calls, none appears on behalf of the petitioners in support of these writ petitions, though the names of the learned counsel for the petitioners are printed in the daily cause list.

By order dated 06.12.2012 passed by a Bench of this Court, this batch of the writ petitions were tagged together on the request made by the learned counsel for the petitioners of all these writ petitions as the issues involved therein are one and same. Thereafter, all these matters were listed on different dates, but since 17.01.2013 all these matters are being adjourned on one pretext or other at the instant of the petitioners. It appears that the

petitioners are no longer interested in this batch of writ petitions.

On the other hand, learned State counsel appearing on behalf of the respondent Nos. 1 to 7 in this batch of writ petitions submit that if the petitioners are at all aggrieved by the impugned action of the authorities or the order (s) passed in the land ceiling case against the original land holder (s) declaring the lands in question as surplus and acquiring them under Section 15 (1) of The Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act (in short, “the Land Ceiling Act”) then only appropriate remedy available to them is under Section 45 B of the Land Ceiling Act before the State Government. According to them, this batch of writ petitions are not maintainable at this stage and are rather premature.

The submissions made on behalf of the State appears to be correct.

In above view of the matter, these writ petitions are dismissed with a liberty to the petitioners to approach the State Government under Section 45 B of the Land Ceiling Act for grant of appropriate relief (s) with respect to the lands in question. If the petitioners have already approached and the matter is still pending before the State Government, then it is expected that the petitions filed on behalf of the petitioners shall be taken to its logical conclusion at an early date preferably within a period of six months from the date of receipt/production of a copy of this order.

(Birendra Prasad Verma, J)

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