

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7146 of 2008

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1. Dr. Mahrukh Khan wife of Late Dr. Najamuddin Haider Khan
2. Farheen Khan, wife of Shahnawaj Hussain, daughter of Late Dr. Najamuddin Haider Kha,
Both residents of village- Parsauni, P.O. & P.S. Parsauni, District- Sitamarhi, at present residing at Ashiana Nursing Home Pvt. Ltd. Ashiana More, Bailey Road, P.S. Rajiv Nagar, District- Patna

.... Petitioners

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar, Patna
2. The Collector, Sitamarhi
3. The Additional Collector, Sitamarhi
4. The Sub Divisional Officer, Belsand Sub- Division, District- Sitamarhi
5. The Deputy Collector land Reforms, Belsand Sub Division, District- Sitamarhi
6. The Circle Officer, Parsauni Circle, AT & P.O. & P.S. Parsauni, District- Sitamarhi
7. The Circle Officer, Belsand Circle, AT & P.O. & P.S. Belsand, District- Sitamarhi
8. Md. Yunus, son of Late Abdul Gaffar, resident of village- Parsauni Mailwar, P.S. Parsauni, District- Sitamarhi
9. Md. Maksud, son of Late Murtuza, resident of village- Parsauni Mailwar, P.S. Parsauni, District- Sitamarhi

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Mahesh Narayan Parbat
Mr. Sanjay Kumar Jha

For the Respondent/s : Mr. AC to SC-19
Mr. Madhav Roy
Mr. Smt.Kanti Jha

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

13 30-06-2015 Heard Sri Mahesh Narayan Parbat, learned counsel for the petitioners and learned AC to SC-19.

The present writ petition has been filed directly against issuance of Parcha under the provisions of the Bihar Privileged Persons Homestead Tenancy Act, 1947 ignoring the statutory

remedy available to the petitioners under the Act.

The Court considers that such writ petition may not be entertained. The writ petition stands dismissed.

It goes without saying that if the petitioners avail statutory remedy, the period consumed in pursuing the present proceeding i.e. from 02.05.2008 till date may be excluded.

(Rakesh Kumar, J)

NKS/-

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