

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21260 of 2013

With
Interlocutory Application No. 7659 of 2013
And
Interlocutory Application No. 318 of 2014

=====

Shri Kantheshwar Mahadeoji having the Temple At Ck 60/67, Mohalla - Karghanta, Varanasi, District - Varanasi (U.P.) through its Shebait Sanjay Kumar Singh, Resident of Ck 60/67, Mohalla - Karghanta, Varanasi, District - Varanasi, Presently Resides at 202, Nalanda Apartment, Kilburn Colony, P.S. Hinoo, District - Ranchi (Jharkhand)

.... Petitioner/s

Versus

1. The State of Bihar
2. The Collector, Siwan, District - Siwan
3. The Deputy Collector Land Reforms, Siwan, District - Siwan
4. The Circle Officer, Siwan, District - Siwan
5. Dharmjit Yadava Son of Late Ram Chander Yadava Resident Of Village - Chainpur Mubarakpur, P.O. Chainpur, P.S. Siwan, District - Siwan

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Ravi Bhushan Prasad Sinha
For the Respondent No.1 to 4 : Mr. Bhaskar Shankar, AC to G.P. 16
For the Respondent No. 5 : Mr. Anil Kumar Jha, Sr. Adv.
Mr. Raj Dular Sah

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 18-12-2015 Heard the parties.

The petitioner is aggrieved by the order dated 14.05.2013/ 23.07.2013 passed in Misc. Case No. 47 of 2009-10, by the respondent District Collector-cum- District Magistrate, Siwan, as contained in Annexure-1, whereby the aforesaid case filed under the provisions of The Bihar Tenancy Act, 1885 (In short 'B.T. Act') has been rejected.

Learned counsel appearing on behalf of the petitioner submits that the impugned order is final in nature and no appeal or revision does lie against such order under the provisions of the B.T. Act

In the considered opinion of this Court, against the order

impugned, the petitioner has an alternative and equally efficacious remedy before the learned Bihar Land Tribunal, Patna in view of the provisions contained in Section 9 of The Bihar Land Tribunal Act, 2009.

In above view of the matter, the writ petition is dismissed, but a liberty is granted to the petitioner, if he is at all aggrieved by the impugned order, to approach the learned Bihar Land Tribunal, Patna, for grant of appropriate relief(s) against the impugned order as also with respect to the lands in question claimed by him.

I.A. No. 7659 of 2013 and I.A. No. 318 of 2014 stand, accordingly, disposed of.

(Birendra Prasad Verma, J)

BTiwary/-

U			
---	--	--	--