

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13863 of 2012

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Mahendra Mahato S/O Late Phakirchand Mahato, Resident of Village &
P.O. Ghataro, P.S. Lalganj (Kartahan), District Vaishali

.... Petitioner/s

Versus

1. The State of Bihar
2. Commissioner, Tirhut Division, Muzaffarpur
3. Collector, Vaishali at Hajipur
4. D.C.L.R., Hajipur at Vaishali
5. Sharda Nand Bhagat S/O Late Shatrudhan Bhagat, Resident of Village
Ghataro, P.O. Ghataro, P.S. Lalganj (Kartahan) District Vaishali
6. Narayan Bhagat S/O Late Mahavir Bhakt, Resident of Village and P.O.
Ghataro, P.S. Lalganj (Kartahan), District Vaishali
7. Murari Bhagat S/O Late Mahavir Bhakt Resident of Village and P.O.
Ghataro, P.S. Lalganj (Kartahan), District Vaishali
8. Narendra Mahato S/O Late Phakirchand Mahato, Resident of Village and
P.O. Ghataro, P.S. Lalganj (Kartahan), District Vaishali
9. Lagandeo Mahato S/O Late Phakirchand Mahato, Resident of Village
and P.O. Ghataro, P.S. Lalganj (Kartahan), District Vaishali

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Uma Kant Tiwary
For the Respondent No.1 to 4 : Mr. Rajesh Kumar, AC to GP-10
For the Respondent No. 5 to 9 : Mr. Ritesh Kumar
Mr. Sanjeet Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 30-09-2015 Heard the parties.

The petitioner is aggrieved by the order dated 22.05.2012 passed in Pre-emption Revision No. 141 of 2009 by the respondent Commissioner, Tirhut Division, Muzaffarpur, as contained in Annexure-3, whereby the aforesaid revision application filed on behalf of the petitioner under the provisions of The Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 has been dismissed and the order passed by the appellate authority has been affirmed.

In the considered opinion of this Court, against the order impugned the petitioner has an alternative and 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 with a liberty to the petitioners to approach the learned Bihar Land Tribunal, Patna for grant of appropriate relief(s) with respect to the lands in question.

(Birendra Prasad Verma, J)

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