

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9606 of 2016

=====

1. Ram Chandra Yadav
2. Ram Nandan Yadav
3. Dev Chandra Yadav
4. Ram Bhorasa Yadav
5. Suresh Yadav
6. Ramesh Yadav
All sons of Late Gulab Yadav, resident of Village Devka Bhargama,
Tola sundari, P.S. Bheja, District Madhubani

.... Petitioner/s

Versus

1.The State of Bihar
2. The Collector, Madhubani.
3. The Addl. Collector, Madhubani.
4. The D.C.L.R., Jhanharpur, Distt.- Madhubani
5. The Circle Officer, Madhepur, Distt- Madhubani.

.... Respondent/s

with

Civil Writ Jurisdiction Case No.8968 of 2016

=====

Adhik Lal Yadav, S/o - Jhotan Yadav, r/o vill- Bhargama, Tole - Jharwa,
P.S.-Bheja District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Collector, Madhubani.
3. The Addl. Collector, Madhubani.
4. The D.C.L.R., Jhanharpur, Distt.- Madhubani
5. The Circle Officer, Madhepur, Distt- Madhubani.

.... Respondent/s

with

Civil Writ Jurisdiction Case No.10085 of 2016

=====

Budhan Yadav son of Late Uchit Yadav, resident of Villaage Bhargama,
Tole IJharwa, P.S.Bhaje, District Madhubani

.... Petitioner/s

Versus

1. The State of Bihar
2. The Collector, Madhubani.
3. The Addl. Collector, Madhubani.
4. The D.C.L.R., Jhanharpur, Distt.- Madhubani
5. The Circle Officer, Madhepur, Distt- Madhubani.

.... Respondent/s

Appearance :

(In CWJC No.9606 of 2016)

For the Petitioner/s : Mr. Suraj Narain Yadav, Advocate
Mr.Shaillesh Kumar, Advocate

Ms. Anne Shree, Advocate
For the Respondent/s : Mr. Pratik Kumar Sinha, AC to GA 12
(In CWJC No.8968 of 2016)
For the Petitioner/s : Mr. Suraj Narain Yadav, Advocate
Mr. Shailesh Kumar, Advocate
Ms. Anne Shree, Advocate
For the Respondent/s : Mr. Pratik Kumar Sinha, AC to GA 12
In CWJC No.10085 of 2016)
For the Petitioner/s : Mr. Suraj Narain Yadav, Advocate
Mr. Shailesh Kumar, Advocate
Ms. Anne Shree, Advocate
For the Respondent/s : Mr. Pratik Kuamr Sinha, AC to GA 12

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 30-06-2016

Heard the parties.

2. In all the above three writ petitions, issues of facts and issues of law involved therein are almost common and identical; therefore, on the request of the parties, all the matters have been heard together and are being disposed of by this common order.

3. The petitioners in all the above three writ petitions claim to be purchasers of the lands in question from the landholder Sarjug Jha and/or his other family members, but all those purchases were made after 09.09.1970. According to the learned counsel, the petitioners are still entitled to have protection under Section 9(2) of The Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (in short, “the Land Ceiling Act”).

4. The learned AC to GA 12, appearing on behalf of the respondents in all the three writ petitions, points out that the lands in question claimed by the petitioners were the subject matter of Land Ceiling Case No. 3 of 1973-74/104 of 1975-76 and after following the procedures, all the lands were declared surplus of the landholder and were finally acquired under Section 15 of

the Land Ceiling Act. Subsequently, lands in question appear to have been distributed amongst the beneficiaries, but neither the landholder nor the parcha holders have been impleaded as party respondents in all the three writ petitions.

5. In the aforesaid factual matrices, all the above three writ petitions are disposed of with a liberty to the petitioners to approach the State Government under Section 45B of the Land Ceiling Act for grant of appropriate relief (s) with respect to the lands claimed by them.

6. If appropriate petitions are filed on behalf of these petitioners before the State Government under Section 45B of the Land Ceiling Act within a period of two months from today with a certified copy of the present order, after impleading all the necessary parities including the original landholder or in case of his death, his heirs and legal representatives as also the Parcha holders, if any, then the same shall be decided on its own merits in accordance with law.

7. All the above three writ petitions are finally disposed of with the observations and directions made above.

(Birendra Prasad Verma, J)

Tahir/-

U			
---	--	--	--