

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9735 of 2012

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Ramdeo Tiwary, Son Of Late Radha Tiwary, Resident Of Village - Rampur,
P.S.- Karamchat, District - Kaimur

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Anchaladhikari, Rampur, P.S.- Rampur, District - Kaimur
3. The D.C.L.R., Bhabhua
4. The District Magistrate-Cum-Collector, Kaimur (Bhabhua)
5. The Additionl Collector, Kaimur (Bhabhua)
6. Sri Binaypati Tiwary, Son Of Late Kailashpati Tiwary, Resident Of
Village - Lilli, P.S.- Karamchat, District - Kaimur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rama Nand Poddar
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 25-07-2016 The petitioner is aggrieved by the order dated 25.01.2012 passed in Mutation Revision Case No.7 of 2007-08/7 of 2008-09 by the Additional Collector, Kaimur, Bhabhua, as contained in Annexure-3 to the writ petition, whereby the aforesaid mutation revision case filed on behalf of the petitioner 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.

It is well settled that the issues of facts must be raised on behalf of the parties and conclusively decided, at the first instance, by the statutory authorities and only thereafter the

powers of judicial review of the High Court under Article 226 of the Constitution of India may be invoked.

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

(Birendra Prasad Verma, J)

Arvind/-

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