

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16352 of 2013

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1. Fazle Ahmad S/O Late Firoz Alam Resident Of Village- Kota, Police Station- Barsoi, District- Katihar.
 2. Marghoob Alam S/O Late Firoz Alam Resident Of Village- Kota, Police Station- Barsoi, District- Katihar.
 3. Ghulam Sarwar S/O Late Md. Afroz Alam Resident Of Village- Kota, Police Station- Barsoi, District- Katihar.
 4. Ghulam Rabbani S/O Late Md. Afroz Alam Resident Of Village- Kota, Police Station- Barsoi, District- Katihar.
 5. Ghulam Yahiya S/O Late Md. Afroz Alam Resident Of Village- Kota, Police Station- Barsoi, District- Katihar.
 6. Md. Imran Alam S/O Late Md. Noroj Alam Resident Of Village- Kota, Police Station- Barsoi, District- Katihar.

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Commissioner, Purnea Division, Purnea.
3. The Deputy Collector, Land Reforms Barsoi, District- Katihar.
4. The Circle Officer, Anchal Kadwa, District- Katihar.
5. Moattar son of Raisuddin
6. Sukra S/O Raisuddin Resident Of Village- Kasba Toli, Police Station- Kadwa, District- Kaithar.
7. Aquikkuddin S/O Late Nezamuddin Resident Of Village- Kasba Toli, Police Station- Kadwa, District- Kaithar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Rahmatullah
For the Respondent/s : Mr. Shashi Bhushan Kr.

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 01-04-2016

Heard both sides.

One of the contentions is that the Deputy Collector Land Reforms as well as the Divisional Commissioner erred in exercising their jurisdiction as the matter arose out of Bihar Tenancy Act. The counsel for the respondent -State has, however, submitted that the petitioners have efficacious and statutory

remedy of filing application before the Bihar Land Tribunal constituted under the Bihar Land Tribunal Act, 2009 after amendment made in the relevant provisions.

Since the petitioners have statutory remedy, this Court is not inclined to entertain the application. Let the petitioners approach the Tribunal for ventilation of their grievance against the impugned orders. Let it be recorded that this Court has not gone on the merit of the claim of the petitioners. Before parting with the case, this Court may also observe if the petitioners approach the Tribunal within a reasonable period of time and seek condonation of delay, if any, the Tribunal will allow the said application considering the fact that the petitioners had been bonafidely pursuing their remedy before this Court.

(Kishore Kumar Mandal, J)

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