

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14850 of 2014

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Jawahar Sharma @ Jawahir Sharma, son of Late Ram Dular Sharma,
Resident of village - Bibiganj, Police Station - Udwant Nagar, District -
Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue Department,
Govt. of Bihar, Patna
2. Commissioner, Patna Division, Patna
3. Additional Collector, Bhagalpur
4. Deputy Collector Land Reforms, Sadar, Arrah
5. Smt. Kunti Devi wife of Kashinath Sharma Resident of village -
Bibiganj, P.S. - Udwant Nagar, P.O. Bampali, District - Bhojpur
6. Most. Ramawati Devi wife of Late Kedar Nath Singh Resident of
village - Bibiganj, P.S. - Udwant Nagar, P.O. Bampali, District - Bhojpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kumar Uday Singh, Adv.

For the Respondent nos.1to4 : Mr. Rishi Raj Sinha, SC-19

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 11-11-2016 Heard the learned counsel appearing on behalf of the
petitioner and the learned SC-19 appearing on behalf of the
respondent nos.1 to 4.

The claim of pre-emption raised on behalf of the
petitioner with respect to a small parcel of land admeasuring 4½
decimals has been rejected by the appellate authority as also the
revisional authority, which have been affirmed by the learned
Bihar Land Tribunal, Patna by the impugned order dated
05.12.2013 passed in B.L.T. Case No.806 of 2013, as contained in
Annexure-7. As per the findings recorded by the authorities
concerned, the respondent no.5 is a poor lady and has purchased a
small parcel of four and half decimals of land for the purposes of
construction of her residential house and, therefore, on that

ground, the petitioner has been non-suited.

In view of the fact that the purchaser, the respondent no.5, is a landless lady and had purchased a small parcel of four and half decimals of land for the purposes of construction of her residential house and further in view of the fact that by recording concurrent findings of facts the appellate authority, revisional authority as also the learned Bihar Land Tribunal, Patna have rejected the claim of pre-emption raised on behalf of the petitioner, this Court does not feel persuaded to interfere with the impugned orders. The writ petition is devoid of merit and is, accordingly, dismissed.

(Birendra Prasad Verma, J)

Arvind/-

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