

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23131 of 2013

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Santosh Giri S/O Late Narayan Giri R/O Mahaganj, P.S- Majhaulia,
District- West Champaran, Bettiah. Petitioner/s

Versus

1. The State of Bihar
2. The Collector, West Champaran.
3. The Sub Divisional Officer, Bettiah, West Champaran.
4. The Land Reforms Deputy Collector, West Champaran At Bettiah.
5. The Circle Officer, Majhaulia, Anchal, District- West Champaran.
6. Rameshwar Yagnik @ Rameshwar Prasad Yagnik S/O Late Bind Pasini
Prasad Yagnik R/O Rajguru Chauk, P.S- Bettiah, Town, District- West
Champaran. Respondent/s

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Appearance :

For the Petitioner/s : Mrs. Anjum Parveen, Advocate
For the Respondent Nos. 1 to 5 : Mr. P.K. Verma, AAG 5
Mr.Saroj Kumar Sharma, Advocate

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 11-01-2016

Heard the parties.

By the impugned order dated 11.06.2013 passed in BLT Case No. 14 of 2013, the learned Bihar Land Tribunal, Patna has issued a direction for demarcating/allotting lands in favour of landholder Rameshwar Yagnik alias Rameshwar Prasad Yagnik (respondent no. 6) to the extent of permissible ceiling unit, particularly with respect to plot no. 2798 of mauza Mohangani

Admittedly, a ceiling proceeding was started and concluded against the landholder respondent no.6 and final order was passed by the competent authority. His claim was based on the basis of final order.

The learned counsel appearing on behalf of the petitioner has not been able to show any legal right over the land in question. However, if the petitioner has some claim over some area of lands, which was subject matter of consideration in the land ceiling case, then the only remedy available to him is to file a petition before the prescribed authority for re-opening of the land ceiling case under the provisions of Section 45 (B) of The Bihar

Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961. The present writ petition seems to be completely misconceived and is, accordingly, dismissed

Tahir/-

(Birendra Prasad Verma, J)

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