

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17824 of 2012

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1. Binod Sharma Son of Surya Sharma, Resident of Village- Pipara Tola Kalhua, P.S. Jogbani District- Araria
 2. Jagdish Sharma Son of Surya Sharma, Resident of Village- Pipara Tola Kalhua, P.S. Jogbani District- Araria
 3. Subodh Sharma Son of Surya Sharma, Resident of Village- Pipara Tola Kalhua, P.S. Jogbani District- Araria
 4. Birendra Sharma Son of Surya Sharma, Resident of Village- Pipara Tola Kalhua, P.S. Jogbani District- Araria
 5. Kripa Nand Sharma Son of Nandlal Sharma, Resident of Village- Pipara Tola Kalhua, P.S. Jogbani District- Araria

.... Petitioner/s

Versus

1. The State of Bihar through the District Magistrate Cum Collector, District- Araria
2. The District Magistrate Cum Collector Araria, Distt. Araria
3. The Circle Officer, Anchal Circle, Forbisganj Distt. Araria
4. Alakh Chandra Sharma Son Of Late Raghu Sharma Resident Of Village- Pipara, Tola Kalhua, P.S. Jogbani Dist. Araria
5. Smt. Shanti Devi W/O Alakh Chandra Sharma Resident Of Village- Pipara, Tola Kalhua, P.S. Jogbani Dist. Araria

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Krishna Narayan Jha

For the Respondent No.1 to 3: Mr. Vijay Kumar Verma, AC to GA-3

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 02-02-2016 The petitioners are aggrieved by the order dated 13.02.2012 passed in Homestead Parcha Revision Case No. 19 of 2006-07 by the respondent District Collector, Araria, whereby aforesaid case filed on behalf of the petitioners purportedly under Section 21 of The Bihar Privileged Persons Homestead Tenancy Act, 1947 (In short the 'Act, 1947') has been dismissed and the order passed by the respondent Anchal Adhikari allowing the claim of the private respondents for grant of parcha under the provisions of the Act, 1947 has been affirmed.

In the considered opinion of this Court, against the order impugned, the petitioners have an alternative and equally

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.

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

(Birendra Prasad Verma, J)

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