

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15595 of 2012

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Shyam Bihari Choubey Son Of Late Suraj Bansh Choubey Resident Of
Village- Tamarh, P.O.- Odar, P.S.- Sonhan, District- Kaimur (Bhabhua)

.... Petitioner/s

Versus

1. The State Of Bihar, through the Chief Secretary, Bihar, Patna
2. The Commissioner, Patna Division, Patna, Bihar
3. The Collector, Kaimur At Bhabhua
4. The Deputy Collector, Land Reforms Bhabhua District- Kaimur
5. Ram Narayan Sharma Son Of Badri Sharma Resident Of Village-
Tamarh, P.O.- Odar, P.S.- Sonhan, District- Kaimur (Bhabhua)
6. Rama Kant Choubey Son Of Late Suraj Bansh Choubey Resident Of
Village- Tamarh, P.O.- Odar, P.S.- Sonhan, District- Kaimur (Bhabhua)

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra, Adv.

For the Respondent Nos.1 to 4 :Mr. Amarendra Kumar, AC to AAG-15

For the Respondent Nos. 5 & 6: Mr. Babu Nandan Prasad, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

5 01-09-2016 The petitioner is aggrieved by the order dated 6.3.2012 (Annexure-4) passed in Ceiling Revision Case No. 105 of 2010 by the respondent Commissioner, Patna Division, Patna whereby the aforesaid mutation revision case filed on behalf of the respondent no.5 has been allowed and orders passed by the appellate authority and the original authority regarding claims of pre-emption have been set aside.

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.

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 the order impugned.,

(Birendra Prasad Verma, J)

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