

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6518 of 2015

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Jhabar Yadav, son of Shri Kaleshwar Yadav, resident of village-Gudiya,
Tola-Chakardaha, P.S.-Jadia, District-Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Revenue & Land Reforms,
Government of Bihar, Patna.
3. The Commissioner, Koshi Division, Saharsa.
4. The District Collector-cum-District Magistrate, Supaul.
5. The Deputy Collector of Land Reforms, Triveniganj, District-Supaul.
6. Sajjan Yadav, son of Late Mahavir Yadav, resident of village-Gudiya,
P.S.-Jadia, District-Supaul.
7. Kama Yadav, son of Late Nakchedi Yadav, resident of village-Gudiya,
P.S.-Jadia, District-Supaul.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amrit Abhijat, Adv.

For the Respondent/s : Mr. GA-12

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 18-11-2016 The petitioner is aggrieved by the order dated 2.3.2015 passed in Pre-emption Appeal Case No. 40 of 2012 by the respondent District Collector, Supaul, as contained in Annexure-3 to the writ petition, whereby the aforesaid appeal filed on behalf of the respondent no. 6 has been allowed and the order passed by the respondent D.C.L.R. has been set aside.

Indisputably, the impugned appellate order passed under the provisions of The Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 is revisable before the prescribed revisional authority, but without exhausting the alternative and statutory remedy, the petitioners have straightaway approached this Court in the present proceeding.

In above view of the matter, the present writ petition is

dismissed, but a liberty is granted to the petitioner to approach the prescribed revisional authority for grant of appropriate relief(s) to him with respect to the lands in question as also the order impugned.

(Birendra Prasad Verma, J)

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