

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5013 of 2011

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Ramkalebar Singh son of Late Bilat Singh, resident of Village Narar North,
P.S.Kaluahi, District Madhubani

.... Petitioner/s

Versus

1. The State of Bihar
2. The Collector, Madhubani, District Madhubani
3. The Additional Collector, Madhubani, District Madhubani
4. Deputy Collector of Land Reform, Madhubani, District Madhubani
5. Tara Devi wife of Late Tulakrishna Lal Das, resident of Village
Raghopur, Balat, P.S.Rajnagar, District Madhubani

.... Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr.Sanjay Kumar, AC to AAG 4

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 09-08-2016

Despite repeated calls, none appears on behalf of the petitioner in support of the present writ petition. However, I have heard the learned State counsel appearing on behalf of the respondent nos. 1 to 4.

The petitioner is aggrieved by the order dated 01.04.2010 passed in Bataidari Appeal Case No. 13 of 2008-09 by the respondent Additional Collector, Madhubani, as contained in Annexure-5 to the writ petition, whereby the aforesaid Bataidari Appeal filed on behalf of the petitioner purportedly under Section 48F of the B.T.Act has been dismissed and the original order passed by the respondent DCLR, Madhubani, as contained in Annexure-3 rejecting bataidari claim of the petitioner has been affirmed.

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 liberty is granted to the petitioner to approach the learned Bihar Land Tribunal, Patna for grant of appropriate relief(s) with respect to the lands in question claimed by him as also with respect to the order impugned.

(Birendra Prasad Verma, J)

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