

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20200 of 2014

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Pradip Kumar Tiwari, son of late Bishwanath Tewary, resident of village
and Police Station Parbatta, District Khagaria

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Land Reforms, Bihar, Patna
2. The Land Acquisition Officer-cum-Special Secretary, Land Reforms,
Patna
3. The Collector, Khagaria, District- Khagaria
4. The Additional Collector, Khagaria, District- Khagaria
5. The Anchal Adhikari, Parbatta, District- Khagaria

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kamal Nayan Chaubey, Sr.Adv.
Mr. Ambuj Nayan Chaubey, Adv.
Mrs.Ritu Priyadarsi, Adv.
Mr.Dineshwar Pandey, Adv.
Mr.Akhilesh Pandey, Adv.

For the Respondent/s : Mr. Md.Naseem Mukhtar, AC to AAG-12

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 23-09-2016

Heard the parties.

Admittedly, despite the letter dated 16.09.2014 written by the District Collector, Khagaria as also the other communications made by the State authorities, as contained in Annexure-5, no proceeding under Section 45-B of The Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (in short 'Act') has formally been initiated by the State Government for reopening of the original land ceiling case, initiated and concluded against the original land holder.

In above view of the matter, in the considered opinion of this Court, the present writ petition is premature and not maintainable at this stage. It is, accordingly, dismissed, but without costs.

However, if a formal order under Section 45-B of the Act is passed by the State Government for reopening of the original land ceiling case, then the petitioner shall be at liberty to challenge the same before an appropriate forum/court in an appropriate proceeding.

(Birendra Prasad Verma, J)

Arvind/-

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