

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10435 of 2012

With
Interlocutory Application No.5185 of 2013

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1. Kamla Kant Upadhaya son of Late Bisho Nath Upadhaya, Resident of Village - Ramapur Sandiya, P.S. Ara Mufassil, Dist. Bhojpur
 2. Pashupati Nath Upadhaya son of Late Bisho Nath Upadhaya, Resident of Village - Ramapur Sandiya, P.S. Ara Mufassil, Dist. Bhojpur
 3. Shashi Nath Upadhaya son of Late Bisho Nath Upadhaya, Resident Of Village - Ramapur Sandiya, P.S. Ara Mufassil, Dist. Bhojpur
 4. Mohan Upadhaya son of Late Bisho Nath Upadhaya, Resident Of Village - Ramapur Sandiya, P.S. Ara Mufassil, Dist. Bhojpur
 5. Shambhu Sharan Yadav son of Late Dipchand Yadav, Resident of Village - Ramapur Sandiya, P.S. Ara Mufassil, Dist. Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar
2. The Director of Consolidation , Bihar, Patna
3. Sri Ram Upadhaya son of Raj Kumar Upadhaya, Resident of Village - Rampur Sandiya, P.S. Ara Mufassil, District - Bhojpur, Arrah

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Ishwar Prasad, Advocate

For the Respondent nos. 1&2 : Mr. Asit Kumar Jha, AC to GP-6

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 19-01-2016 The petitioners are aggrieved by the order dated 13.06.2011 passed in Consolidation Revision Case No. 56 of 2010 by the respondent Director of Consolidation, Bihar, Patna, whereby the aforesaid revision application filed on behalf of the respondent no. 3 under Section 35 of The Bihar Consolidation Holdings and Prevention of Fragmentation Act, 1956 has been allowed.

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 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 order impugned.

I.A. No. 5185 of 2013 stands accordingly disposed of.

(Birendra Prasad Verma, J)

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