

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7652 of 2015

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Jay Narayan Thakur, aged about 80 Years, Son of Late Hit Narayan Thakur,
Resident of village- Bistaul, Police Station- Jhanjharpur, District-
Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar (Through Collector, Madhubani).
2. Saroj Kumar Thakur Son of Late Shyam Narayan Thakur, Resident of
Village- Bistaul, Police Station- Jhanjharpur, District- Madhubani.

.... Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent/s : None

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 17-09-2016

Despite repeated calls, none appears on behalf of the petitioner in support of the present writ petition. None appears on behalf of the respondents either, though the names of the learned counsel appearing on behalf of the parties are printed in the daily cause list.

The petitioner is aggrieved by the order dated 07.08.2014 passed in Homestead Parcha Cancellation Case No.1 of 2012-13 by the respondent District Collector, Madhubani, as contained in Annexure-1 to the writ petition, whereby, in the light of the earlier order passed by this Court and in purported exercise of his powers under Section 21 of The Bihar Privileged Persons Homestead Tenancy Act, 1947, the aforesaid case filed on behalf of one Vijay Kumar Thakur (not impleaded as party respondent in the present case) has been allowed and the homestead parcha issued to the petitioner has 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 petitioner 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)

Arvind/-

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