

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6339 of 2014

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1. Doman Hambran, Son Of Late Uday Hambran
2. Barku Hambran, Son Of Late Uday Hambran
Both Resident Of Village - Jamra, Post Office - Bairiya, Police Station -
Amdabad, District - Katihar

.... Petitioner/s

Versus

1. The State Of Bihar, through the Principal Secretary, Land Reform, Bihar,
Patna
2. The Collector, (D.M.), Katihar
3. The Deputy Collector, Land Reforms, Manihari, District - Katihar
4. The Circle Officer (C.O.) Manihari, Katihar
5. Tala Devi, Wife Of Indu Marandi, Daughter Of Late Mathu Murmu,
Resident Of Village - Jamra, Post Office - Bairiya, Police Station -
Amdabad, District - Katihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vipin Kumar, Adv.
For the Respondent nos.1to4 : Mr. Satyadeo Kumar, SC-5
For the Respondent nos.5 : Mr.J.S. Arora, Adv.
Mr.Manoj Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 01-07-2016 The petitioners are aggrieved by the order dated 22.05.2013 passed in Land Dispute Case No.133 of 2012-13 by the respondent D.C.L.R., Manihari, as contained in Annexure-1, whereby in exercise of his powers under Section 4 of The Bihar Land Disputes Resolution Act, 2009 (in short 'Act, 2009'), the respondent D.C.L.R., Manihari-cum-Competent Authority has allowed the aforesaid case filed on behalf of the respondent no.5.

At the very outset, the learned SC-5 appearing on behalf of the respondent nos.1 to 4 and the learned counsel appearing on behalf of the respondent no.5 have raised objection regarding maintainability of the present writ petition at this stage. According to them, the impugned order is appealable in terms of

Section 14 of the Act, 2009.

The submissions made by the learned counsel appearing on behalf of the respondents appear to be correct.

In that view of the matter, the present writ petition is dismissed, but a liberty is granted to the petitioners to approach the prescribed appellate authority under Section 14 of the Act, 2009 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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