

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18880 of 2014

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Sahjanandani Devi, wife of Sri Suresh Rai, resident of village - Rampur,
P.S. - Bakhari, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Land Reforms, Government of Bihar, Patna.
2. The Secretary, Department of Land Reforms, Government of Bihar, Patna.
3. The District Magistrate, Begusarai.
4. The Addl. Collector, Begusarai.
5. The Circle Officer, Begusarai.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md.Imteyaz Ahmad

For the Respondent/s : Mr. Kumar Manish, SC-5

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 17-10-2016 In view of the order dated 01.05.2015 passed on I.A.No.9475 of 2014 seeking amendment of the relief in the writ petition, now, the petitioner is aggrieved by the final order dated 26.11.2014 passed in Jamabandi Cancellation Case No.46A of 2012-13 by the Additional Collector, Begusarai, as contained in Annexure-12 to the aforesaid I.A.No.9475 of 2014.

The learned SC-5, appearing on behalf of the respondents, at the very outset, has raised the question of the maintainability of the present writ petition at this stage. According to him, the impugned final order dated 26.11.2014 is appealable and revisable under the provisions of The Bihar Land Mutation Act, 2011 (in short 'Act, 2011'). It is contended that, in view of the provisions contained in Section 9(6)(a) of the Act, 2011, the petitioner has an alternative and efficacious remedy before the prescribed appellate authority and, therefore, the present writ

petition, at this stage, is not maintainable.

The submissions made by the learned SC-5 appear to be correct.

In the considered opinion of this Court, in view of the provisions contained in Section 9(6)(a) of the Act, 2011, the order impugned is appealable before the prescribed appellate authority.

In above view of the matter, the present writ petition is dismissed, but a liberty is granted to the petitioner to approach the prescribed appellate authority for grant of an appropriate relief to him with respect to the lands in question as also the order impugned.

(Birendra Prasad Verma, J)

Arvind/-

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