

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.579 of 2016
Arising out of
Civil Writ Jurisdiction Case No. 14870 of 2013**

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Bishwanath Prasad Saraogi, Son of Late Shankar Lal Saraogi Resident of Jai Hind Cinema Compound, Dehri, P.O. & P.S.- Dehri, District- Rohtas

.... Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue & Land Reforms, Govt. of Bihar, Patna
2. The Divisional Commissioner, Patna
3. The District Magistrate-cum-Collector, Rohtas at Sasaram
4. The Deputy Collector Land Refgorms, Dehri, District- Rohtas
5. The Circle Officer, Dehri, District- Rohtas
6. Chandrika Yadav, son of Ram Dahin Singh
7. Rajeshwar Yadav, Son of Ramswarup Yadav
8. Satyendra Yadav, son of Shivjanam Singh
9. Tapeswar Yadav, son of Vishnu Singh
- All at Sl. Nos. 6 to 9 are resident of Mohalla- Pali, P.S. Dehri, P.O. Dalmianagar, District- Rohtas (Bihar)
10. Hari Jyoti, daughter of Late Sardar Balwant Singh, Resident of Jai Hind Cinema Compound, Dehri, P.O. & P.S.- Dehri, District- Rohtas.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Raj Kishore Prasad, Advocate
For the Respondent/s : Mr. Kaushal Kumar Jha, AAG-8

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 20-06-2017

Delay of 8 days in filing of the appeal is condoned. I.A.

No. 2573 of 2016 stands allowed.

Considering the fact that the learned Writ Court has only relegated the writ-petitioners to take recourse to the statutory remedy of appeal available under the Bihar Land Disputes Resolution Act, 2009, we are not inclined to interfere into the matter. The



appellant may take recourse to the remedy available of approaching the Appellate Authority and the Appellate Authority is empowered under law to go into various aspects of the matter as are canvassed in this appeal. In case the appeal is filed within a period of 30 days from today, the Appellate Authority shall consider the appeal and decide it on merit and shall not reject it on the ground of delay.

Granting liberty to the appellant to take recourse to the remedy of appeal, the Letters Patent Appeal stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
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