

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1494 of 2016

In
Civil Writ Jurisdiction Case No. 19018 of 2008

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Abdul Gaffor, @ Abdul Gafoor, S/o Late Shekh Chulahi, resident of
village- Gariba Balua, P.S. -K. Nagar, Distt.- Purnea

.... Appellant/s

Versus

1. The State of Bihar
 2. The Commissioner, Purnea Divison, Purnea
 3. The Collector, Purnea
 4. The Deputy Collector Land Reforms, Sadar Purnea
 5. Bhujdev Prasad Mahto, S/o Late Fulcharan Mehta
 6. Umesh Prasad Mehta, S/o Bhujdev Prasad Mehta
 7. Ramesh Prasad Mehta, S/o Bhujdev Prasad Mehta
 8. Birendra Mehta, son of late Basudeo Prasad Mehta
 9. Manoj Mehta, son of late Basudeo Prasad Mehta
 10. Jeetendra Mehta, son of Late Basudeo Prasad Mehta-----3rd Party
- Respondents Party No.--2& 3 are resident of village-Gariba Balua,
P.S.--K.Nagar, Distt.- Purnea

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Pramod Kumar Mallick, Advocate
For the Respondent/s : Smt.Kumari Amrita, G.P. 3

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

6 20-09-2017 Challenging the concurrent orders in the matter of

preemption under Section 16(3) of the Bihar Land Reforms

(Fixation of Ceiling Area and Acquisition of Surplus Land) Act,

1961, the writ petition in question was filed. The Writ Court found

that in the proceedings held before the statutory authorities,

namely, the Deputy Collector Land Reforms, the 1st appellate

authority and the revisional authority, all the three statutory

authorities have recorded the concurrent finding based on the



record and the finding recorded was that the petitioner is not a landless person, rather he is more than one acres of land and taking note of the concurrent finding and judgment of a Full Bench of this Court in case of **Syed Fakir Mohammad Vs. Sheikh Salahuddin & Others**, reported in **1975 PLJR 1**, the writ petition has been dismissed.

We find no reason to grant indulgence in the matter. The concurrent findings recorded by the DCLR, the appellate authority and the revisional authority, the Divisional Commissioner, has been approved by the learned Writ Court after due appreciation of the materials on record. Accordingly, we see no reason to interfere in the matter and this appeal is dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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