IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18475 of 2015

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Hari Sharan Dwivedi, son of Late Ram Swaroop Dwivedi, resident of Village and P.O. Basantpur Patti, P.S. Sarasiya, District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Commissioner, Tirhut Pramandal, Muzaffarpur.
3. The Collector, Muzaffarpur.
4. The Deputy Collector, Land Reforms, West Muzaffarpur at Muzaffarpur.
5. Marachhi Devi, wife of Jawahar Paswan, residents of Village Datapur, P.O. Basantpur Patti, P.S. Saraiya, District Muzaffarpur.
6. Rajesh Kumar Paswan, son of Jawahar Paswan, residents of Village Datapur, P.O. Basantpur Patti, P.S. Saraiya, District Muzaffarpur.

.... Respondent/s

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Appearance :
For the Petitioner/s : Mr. Pawan Kumar Mishra
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 13-01-2017 The petitioner is aggrieved by the order dated 01.09.2015 passed in Ceiling Preemption Revision Case No.67 of 2008 by the respondent Divisional Commissioner, Muzaffarpur, as contained in Annexure-3 to the writ petition, whereby the aforesaid revision case filed on behalf of the respondent no.5 was allowed.

In the considered opinion of this Court, against the order impugned, the petitioner has an alternative remedy before the learned Bihar Land Tribunal, Patna in view of the provisions contained in Section 9 of The Bihar Land Tribunal Act, 2009. Admittedly, the petitioner has not exhausted the aforesaid alternative remedy available to him.

In above view of the matter, the present writ petition is dismissed.

However, a liberty is granted to the petitioner to

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approach the learned Bihar Land Tribunal, Patna 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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