

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.629 of 2017

In

Civil Writ Jurisdiction Case No. 14291 of 2008

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1. Longiya Devi @ Nagina Devi, Wife of Late Baldeo Yadav,
2. Rajendra Yadav, Son of Late Baldeo Yadav, Both resident of village -
Mahpur, P.O. Barmesia, P.S. Jhajha, District - Jamui

.... Appellant/s

Versus

1. The State of Bihar through the Collector, Jamui at and District Jamui
2. The Additional Member Board of Revenue, Old Secretariat, Patna
3. The Deputy Collector, I/C Land Reforms, Jamui
4. Khubi Yadav, Son of Late Leela Yadav, C/o Balgovind Yadav, Resident
of village - Chain, P.O. Chain, Via - Jhajha, P.S. Jhajha, District - Jamui
5. Shyam Sundar Yadav, Son of Late Lalman Yadav, resident of village -
Mahpur, P.S. Barmesia, P.S. Jhajha, District - Jamui

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Prakash Mahto

For the Respondent/s : Mr.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 03-07-2017 The learned writ court has correctly interfered with the order passed by the Board of Revenue and restored the order passed by the Collector, Jamui in Land Ceiling Case No. 08 of 2001-2002 or 8 of 2002-2003 finding that the petitioner-respondent no.5 is also an adjoining Raiyat of the plot in question and so appellants cannot compel respondent no.4 to transfer the land in their favour because it is the owner who will decide to whom the land has to be transferred as precisely held by the



learned writ court in paragraph 10 of the order which is quite reasonable and in accordance with law. We see no reason to take different view in the matter. Accordingly, the appeal is dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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