

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.2337 of 2016

In

Civil Writ Jurisdiction Case No.674 of 2015

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1. Razia Anjum
 2. Ferida Anjum
 3. Sabir Ali
 4. Imteyaz Ahmad
 5. Parwaz Alam
 6. Mumtaz Ahmad
 7. Sahin Anjum All are D/o of late Bashir Ahmed @ Amazad All residents of Mohalla- Purani Qila, Siwan, P.S. Siwan town, District- Siwan.
 8. Noor Jahahn Khatoon W/o late Shamim Ahmed @ Jameshed
 9. Anwar Ahmad S/o late Shamim Ahmad @ Jameshed
 10. Seraj Ahmad S/o late Shemim Ahmad @ Jameshed All Resident of Mohalla- Purani Qila, Siwan, P.S. Siwan town, District- Siwan.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Land Revenue Department, Patna.
2. The Additional Collector, Siwan.
3. The Deputy Land Reforms Collector, Siwan.
4. The Circle Officer, Siwan.
5. Shamid Ali Siddique, S/o Late Saukat Ali, Resident of Mohalla- Puram Qila Siwan, PO- Siwan, PO- Siwan, PS- Siwan Town, District- Siwan.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Shailendra Kumar Singh
For the Respondent/s : Mr. Md.Khurshid Alam-Aag12

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

7 12-04-2018 Heard learned counsel for the appellant and counsel
appearing on behalf of the State.

We are not inclined to interfere with the order of the
Learned Single Judge, dated 18.10.2016, wherein the Court has



held that the appellant has remedy under Section 9 of the Bihar Land Tribunal Act, 2009.

The submission of the counsel for the appellant that since it was a matter relating to rent fixation, the DCLR was the final authority, therefore, remedy under Section 9 of the Bihar Land Tribunal Act, 2009, may not be available.

Such an argument can be very well made and entertained by the Tribunal. The Court intentionally refrains from observing either for or against, for obvious reasons.

Appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

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