

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.863 of 2017

1. Bansu Bhar, Son of Late Ram Saran Bhar.
2. Ghasi Bhar, Son of Late Ram Saran Bhar. Both residents of Village- Dharhar, Police Station Durgawati, District- Rohtas.

... .. Appellant/s

Versus

1. The State of Bihar.
2. The Director of Consolidation, Bihar, Patna.
3. The Deputy Director of Consolidation, Bihar, Patna.
4. Phulwasi Kuer, Wife of Ram Surat Bhar.
5. Chhedi Bhar, Son of Late Ram Surat Bhar.
6. Sudama Bhar, Son of Late Ram Surat Bhar.
7. Ram Dular Bhar, Son of Late Ram Surat Bhar.
8. Ram Narain Bhar, Son of Late Ram Surat Bhar. All are residents of Village- Dharhar, Police Station Durgawati, District- Rohtas.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ram Suhawan Singh, Advocate
For the Respondent/s :

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 16-02-2018

The concurrent orders passed by the Consolidation Officer and the Appellate Authority under the Bihar Consolidation of Holdings and Prevention of Fragmentation Act has been interfered by the Revisional Authority on the ground that under Section 10(B) of the Act in question the notification was issued whereby objections were to be raised between 13.08.1973 to 12.09.1973 or within 45 days thereof and as the proceedings under Section 10(B) was initiated after 10 years,



finding the proceedings under Section 10(B) to be within the provisions of the law, the learned Writ Court has approved the order passed by the Revisional Authority.

In doing so, on account of want of inherent jurisdiction to deal with the matter by the Director, Consolidation and the Appellate Authority, in our considered view, the learned Writ Court has not committed any error warranting reconsideration. However, if under law, any other provision is applicable to the appellants by which they can ventilate their grievance, liberty is available to the appellants to take recourse to the remedy available, if permissible under law.

With the aforesaid, the Letters Patent Appeal stands disposed of.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

P.K.P./-

AFR/NAFR	N.A.F.R.
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