

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17464 of 2017

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1. Jay Singh Yadav,
 2. Vijendra Yadav, Both sons of Late Deo Narain Yadav.
 3. Rajendra Yadav @ Rajendra Prasad Yadav
 4. Yogendra Yadav, Both sons of late Surpat Yadav,
 5. Anil Yadav, S/o Late Mushai Yadav alias Mushal Yadav
 6. Padma Nand Kumar @ Padmananda Kumar, Son of Bidya Nand Yadav,
 7. Smt. Kiran Mala Devi, W/o Rudal Prasad Yadav,
 8. Shyama Nand Yadav, Son of Late Ledhai Yadav
 9. Ram Bilas Yadav
 10. Anant Lal Yadav alias Andlal Yadav, Both sons of Late Bhupi Yadav.
 11. Keshari Chand Singh, Son of Late Babu Lal Yadav
 12. Ram Kumar Yadav, Son of Late Thakai Yadav, All resident of Village- Koskapur Tola Ramghat, P.S. Narpatganj, District- Araria.

.... Petitioners

Versus

1. The State of Bihar, through Principal Secretary Deptt. of Revenue and Land Reforms, Govt. of Bihar, Patna.
2. The Collector, Purnia.
3. The Additional Collector, Araria.
4. The Deputy Collector, Land Reforms, Araria.
5. The Circle Officer, Narpatganj, P.S. & Anchal Narpatganj, District- Araria.
6. Saryug Singh, Son of Late Kusum Lal Singh.
7. Ram Ashish Singh, Son of Late Kusum Lal Singh.
8. Chandan Kumar Singh, Son of Late Dinesh Singh.
9. Sheo Narain Singh.
10. Kishore Singh.
11. Ram Kumr Singh
12. Arjun Singh, No. 9 to 12 sons of Ganpat Singh.
13. Anil Kumar Singh, Son of Late Shankar Singh, No. 6 to 13 are residents of Village- Koskapur Tola, Laska, Police Station- Narpatganj, P.O.- Khaira, Koskapur, District- Araria.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Chandra Bhushan Das

For the Respondent/s : Mr. Sajid Salim Khan

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 14-05-2018

Heard both sides.



The petitioners earlier filed C.W.J.C. No.14068 of 2015 and this court vide order dated 17.09.2015 directed the Collector to hear Misc. Land Ceiling Case No.01 of 2012 on priority basis and dispose of the case preferably within six months from the date of receipt of this order. Till the disposal of the Misc. Case No.01 of 2012, the petitioners shall not be dispossessed from the land in question.

Learned counsel for the petitioners submits that in the Amendment Act No. 18 of 2016, the provision of Section 45B of the Bihar Land Reforms (Fixation of Ceiling and Acquisition of Surplus Land) Act, hereinafter referred to as the Act has been repealed but under Sub section 4, two Sub sections were added by amending Act, Sub section 3 and 4 of Section 30 of the Act have been added. Sub Section 4 of Section 30 provides power of Collector to initiate fresh proceeding under the Act. This Court has already directed the Collector to dispose of Misc. Land Ceiling Case No. 1 of 2012 and till the disposal of the aforesaid case, the petitioner shall not be dispossessed. Therefore, I find that the apprehension of the petitioner is unfounded.

I dispose of this writ petition with a direction to the Collector that the Collector, after hearing both sides shall dispose of the Misc. Land Ceiling Case No. 1 of 2012 within 3 months as



it is surprising that in spite of the order of this Court, the Collector sat over the matter and did not dispose of Misc. Land Ceiling Case No. 1 of 2012 for the last six years.

(Prabhat Kumar Jha, J)

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