

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1220 of 2019

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1. Amzad Hussain, son of Tahir Hussain, Resident of Village- Gorahiya, Police Station- Mehsi, District- East Champaran
 2. Aabid Hussain, son of Tahir Hussain, Resident of Village- Gorahiya, Police Station- Mehsi, District- East Champaran
 3. Md. Sajid Hussain @ Sajid Hussain, son of Tahir Hussain, Resident of Village- Gorahiya, Police Station- Mehsi, District- East Champaran
 4. Md. Zakir Hussain @ Zakir Hussain, son of Md. Mustakin, Resident of Village- Gorahiya, Police Station- Mehsi, District- East Champaran
 5. Bibi Hamida Khatoon @ Bibi Hamima Khatoon, wife of Sk. Aftab Alam, Resident of Village- Gorahiya, Police Station- Mehsi, District- East Champaran
 6. Bibi Fatima Khatoon @ Bibi Fatma Khatoon, wife of SK. Jajul, Resident of Village- Gorahiya, Police Station- Mehsi, District- East Champaran
 7. Md. Kamrul Hoda, son of SK Gaffar @ SK. Abdul Gaffar, Resident of Village- Gorahiya, Police Station- Mehsi, District- East Champaran
 8. Amrullah, son of SK. Gaffar @ Sk. Abdul Gaffar, Resident of Village- Gorahiya, Police Station- Mehsi, District- East Champaran
 9. Bindeshwari Rai, son of Ram Kishun Rai, Resident of Village- Gorahiya, Police Station- Mehsi, District- East Champaran
 10. Vishwanath Rai @ Vishnath Rai, son of Ram Kishun Rai, Resident of Village- Gorahiya, Police Station- Mehsi, District- East Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Patna
2. The Collector Cum District Magistrate, East Champaran, Motihari
3. The D.C.L.R. Land Reforms, East Champaran, Motihari
4. The Circle officer, Madhuban East Champaran, Motihari

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Madhurendra Kumar, Mr. Avinash
For the Respondent/s	:	Mr. Rishi Raj Sinha, SC-19 Mr. Saurabh Kumar, AC to SC-19

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 28-01-2019 Heard learned Counsel for the parties concerned.

By an order, dated 25.05.2018, passed in Revenue



Appeal No. 66 of 2017-18, the Collector, East Champaran, Motihari, has rejected the petitioners' grievance against issuance of purcha in favour of the landless persons in respect of certain piece of land, which, according to the petitioners, was purchased in 1998-99 from Khatiyani Raiyat. The Collector has held the petitioners' appeal as not maintainable in the absence of any provision for appeal.

Learned Counsel for the petitioners has not been able to show this Court any provision of law under which the Collector could have maintained the said appeal. In such circumstance, dismissal of the appeal for the reasons recorded in the order, dated 25.05.2018, cannot be said to be unjustified.

Learned Counsel appearing on behalf of the petitioners has vehemently argued that the land, in question, has been wrongly declared to be surplus land of the landholder, Radhakant Singh. It is his case that Radhakant Singh was never the landholder of the land in question; rather, the land was owned by the petitioners' vendor.

Without commenting upon the contentions touching the merit on the point of title in respect of the land, it is observed that the petitioners shall be at liberty to take recourse to appropriate provision of law for redressal of their grievance.



This application stands disposed of.

(Chakradhari Sharan Singh, J.)

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