

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19272 of 2011

SHAKUNTALA KUMARI Wife Of Bhuneshwar Prasad Singh Resident Of
Village - Sakari, Police Station - Kudara, District - Rohtas

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. The Collector Cum District Magistrate, Kaimur At Bhabhua
3. The Deputy Collector, Land Reforms, Mohania, District - Kaimur
4. Smt. Lilawati Devi W/O Raghwendra Prasad Gupta Resident Of Jehanabad,
P.O. and P.S. - Kudara, District - Kaimur Bhabhua
5. Sri Kamata Prasad Singh Resident Of Rampur, P.S. - Kudara, District -
Kaimur Bhabhua

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. K.N.Choubey, Sr. Advocate Mr. Ashok Kumar Garg
For the State		Mr. Ajay Bihari Sinha GA 8 Mr. Suryakant Kumar, AC to GA 8
For respondent no.4		Mr. Arabind Nath Pandey

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

11 01-08-2019 Heard the learned counsel for the parties.

By the impugned order dated 25.03.2011, passed by the Commissioner, Patna Division, the claim of pre-emption has been rejected, which was dismissed by the Deputy Collector Land Reforms and was subsequently allowed by the Additional Collector Land Reforms in appeal.

By the impugned order, the claim of pre-emption has been turned down on the ground that the purchaser was landless.

There is no material on record to controvert the said



finding of the Commissioner that the purchaser was a landless person.

The right of pre-emption cannot be maintained, if the purchaser is a landless person, which is a settled principle of law.

I do not find any merit in this writ application, which is accordingly dismissed.

(Chakradhari Sharan Singh, J)

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