

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1587 of 2017

In
Civil Writ Jurisdiction Case No.13230 of 2013

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1. The State Of Bihar, through the Principal Secretary, Revenue & Land Reforms Department, Government of Bihar, New Secretariat, Patna-1
 2. The Principal Secretary, Revenue & Land Reforms Department, Government of Bihar, New Secretariat, Patna
 3. The Additional Secretary, Revenue & Land Reforms Department, Government of Bihar, New Secretariat, Patna
 4. The Commissioner, Patna Division, Patna
 5. The Collector, District, Patna
 6. The Deputy Collector, In-Charge, Urban Land Ceiling, Patna
 7. The Senior Deputy Collector, Revenue, Patna
 8. The Circle Officer, Danapur, Patna
 9. The Circle Inspector, Danapur, Patna

... .. Appellant/s

Versus

1. Sheonath Prasad, Son of Late Rama Shraya Singh
2. Arun Kumar, Son of Late Vishwanath Prasad
3. Suresh Kumar, Son of Late Ram Ekabal Singh
4. Vinoy Kumar, Son of Krishna Prasad
5. Subhash Kumar, Son of Krishna Prasad
6. Sanjiv Kumar, Son of Late Surendra Prasad

All residents of Village- Nasariganj, Biscuit Factory More, Kabristan Road, P.O. Digha, P.S. Danapur, District Patna-12, Patna

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Anjani Kumar, AAG-4
For the Respondent/s	:	Mr. Devendra Kr. Sinha, Sr. Adv.
		Mr. Abhinay Raj, Adv.
		Mr. Alexander Ashok, Adv.



**CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT**

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 02-12-2019

Appellant prays for setting aside the impugned order dated 21.4.2017, passed in C.W.J.C. No.13230 of 2013 (Sheonath Prasad & Ors. Vs. The State of Bihar & Ors.) by which letter No.2019 dated 25.7.2012 issued by the Collector, Patna has been quashed and the matter remitted back to the Collector, Patna to decide the matter afresh confining himself to the points raised by learned Commissioner, Patna in the light of order dated 21.5.2007 passed in Urban Land Ceiling Appeal No.53/2003 keeping in mind the relevant provisions of the Repeal Act, 1999.

With the consent of the parties, the appeal stands disposed of in the following terms:

Unlike what stands observed in the impugned order, scope of examination by the Collector, Patna shall stand expanded for consideration of all factual matrix *inter se* the parties considering the provisions of Urban Land Ceiling and Regulations Act, 1976 as also the Urban Land Ceiling and Regulations Appeal, 1999.



Since the matter pertains to the year 2007, the parties shall appear before the authority on 20.12.2019 and all parties shall place their entire material. The appropriate authority shall consider and decide the matter within a period of four months thereafter.

The judgement shall stand modified accordingly.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

K.C.Jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
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