

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13113 of 2019

1. Ram Bharosh Mahton Son of Late Nirsu Mahton R/o Village-Malpur, P.O.-Baraipura, P.S.-Khodawandpur, Sub-Div-Manjhaul, District-Begusarai
2. Horil Mahton S/o Late Dhorai Mahton R/o Village-Malpur, P.O.-Baraipura, P.S.-Khodawandpur, Sub-Div-Manjhaul, District-Begusarai
3. Widan Yadav S/o Late Dhana Yadav R/o Village-Malpur, P.O.-Baraipura, P.S.-Khodawandpur, Sub-Div-Manjhaul, District-Begusarai
4. Sukhdeo Yadav S/o Late Budhan Yadav R/o Village-Malpur, P.O.-Baraipura, P.S.-Khodawandpur, Sub-Div-Manjhaul, District-Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Collector Begusarai
3. The D.C.L.R. Manjhaul District-Begusarai
4. The Circle Officer Block-Chhourahi, Sub-Div-Manjhaul, District-Begusarai
5. Dulia Devi Wife of Shri Bhikho Mahton R/o Village-Malpur, P.O.-Baraipura, P.S.-Khodawandpur, Sub-Div-Manjhaul, District-Begusarai

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Smt. Sudha Ambastha
For the State	:	Mr.Raj Kishore Roy (GP-18)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 02-07-2019 Though, this writ application has been listed under the heading “For Orders (on office notes)”, pointing out certain defects, considering the nature of relief, which the petitioners are seeking, the matter has been heard and is being disposed of by the present order.

An order dated 10.11.2018, passed by the Deputy Collector Land Reforms, Manjhaul, in the district of Begusarai in B.L.D.R. Case No. 13 of 2018 has been put to challenge in the present writ application.

It is the case of the petitioners that the Deputy Collector Land Reforms ought not to have disposed of the said



B.L.D.R. Case No. 13 of 2018, during the pendency of the Revenue Revision Appeal No. 17 of 2018 before the Collector, Begusarai, wherein issuance of *Basgit Purcha* in favour of respondent no. 5 is under challenge.

Be that as it may, it is an admitted fact that the petitioners have statutory remedy of appeal against an order passed by the competent authority under Bihar Land Disputes Resolution Act, 2009 (for short 'the Act'), on the grounds, which have been taken in the present writ application. This writ application is, thus disposed of with an observation that the petitioners shall be at liberty to question the legality of the impugned order by filing an appeal under the Act.

It is indicated that if any question of limitation arises before the appellate authority in preferring appeal, and if any application for condonation of delay is filed, the same shall be considered liberally, keeping in mind the fact that the petitioners were pursuing their remedy by filing the present writ application

(Chakradhari Sharan Singh, J)

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