

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23307 of 2018

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1. Sadanand Gami S/o Narayan Gami, Resident of Village-Mahalbari, Bhalobita, P.S- Sadar, District -Purnea.
 2. Raja Ram Sah @ Rajesh Sah S/o Sant lal Sah Resident of Village-Mahalbari, Bhalobita, P.S Sadar, District - Purnea

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Commissioner Purnea, District - Purnea
3. The District magistrate, Purnea, District - Purnea.
4. Sharda Devi Wife Jagdish Pardha, Resident of Village-Mahalbari, tola Malobitta, P.S- Sadar Dagarwa, District Purnea.
5. Gita Devi W/o Arun sah Resident of Village-Kochaili, P.O P.S Dagrwa., District - Purnea.
6. Nita Devi W/o Isalshar Resident of Village-Mahmadiya, P.S- Dagrwa, District - Purnea.
7. Koshalya Devi W/o Hare Ram Manohar, Resident of Village P.S Kasba, District - Purnea.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar
For the State : Mr.Raj Kishore Roy -GP-18

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 05-08-2019 An order dated 26.02.2018, passed by the Collector, Purnia in Misc. Ceiling Case No. 578/1990-91 is under challenge in the present writ application.

The said case arose out of a proceeding under Section 45B of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961(for short ‘the Act of 1961’), which has been repealed by Bihar Land Reforms



(Fixation of Ceiling Area and Acquisition of Surplus Land) (Amendment) Act, 2016. By the said amendment, on repeal of Section 45B of the Act of 1961, a new Section 45D has been added after Section 45C, which stipulates abatement of all proceedings pending before the revenue court/Bihar Land Tribunal under Section 45B of the Act of 1961. Following the said provision under Section 45D, the Collector, Purnia has passed the impugned order, holding the proceeding before him under Section 45B of the Act of 1961 to have abated.

I do not find any illegality in the impugned order, which has followed the mandate of law.

This writ application is accordingly dismissed.

(Chakradhari Sharan Singh, J)

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