

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14675 of 2019

1. Bindeshwar Yadav Son of Late Khirodhar Yadav Resident of Village- Ladutola Lalmati, P.S. Mohanpu, District- Gaya (Bihar).
2. Naresh Yadav Son of Late Lekha Yadav Resident of Village- Ladutola Lalmati, P.S. Mohanpu, District- Gaya (Bihar).
3. Rajesh Yadav Son of Late Lekha Yadav Resident of Village- Ladutola Lalmati, P.S. Mohanpu, District- Gaya (Bihar).

... .. Petitioners

Versus

1. The State of Bihar.
2. The District Magistrate, Gaya, District- Gaya (Bihar).
3. The Additional Collector, Gaya, District- Gaya (Bihar).
4. The Sub Divisional Magistrate, Gaya, District- Gaya (Bihar).
5. The Circle Officer, Gaya, District- Gaya (Bihar).
6. Ramesh Giri (Present Mahanth) Bodh Gaya Bath, resident of Bodh Gaya, P.S.- Bodh Gaya, District- Gaya, Pin Code- 824231 (Bihar).

... .. Respondent/s

Appearance :

For the Petitioners	:	Mr. Dhruv Narayan, Senior Advocate Mr. Abhishek, Advocate Mr. Prabhat Kr. Dipak, Advocate
For the Respondent State:		Ms. Praritita Sharma, AC to SC-25

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 23-07-2019 An order, dated 18.02.2019, passed by the Collector, Gaya, in Ceiling Misc. Case No. 30 of 1999-2000, is under challenge in the present writ application. Indisputably, the petitioners have remedy of appeal under Section 30 of the Bihar Land Reforms (Fixation of Ceiling and Acquisition of Surplus Land) Act, 1961.

Since the petitioners have alternative remedy against the order impugned, this writ application is disposed of with the



observation that the petitioners shall have liberty to prefer appeal against the impugned order in accordance with law. If any such appeal is preferred within one month from today, and any question of limitation arises, the appellate authority shall keep in mind the fact that the petitioners were pursuing their remedy before this Court by filing the present writ application and consider any application for condonation of delay liberally.

The petitioners shall be at liberty to seek any interim order before the appellate forum in the background of the observation made by this Court in the order, dated 27.07.1999, passed in C.W.J.C. No. 3400 of 1992 and other analogous cases.

This writ application is disposed of with aforesaid observation.

(Chakradhari Sharan Singh, J)

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