

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16557 of 2019

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Gupteshwar Singh, Son of Late Ram Swaroop Singh Resident of Village-
Kariganw, Post Office- Bahadurpur, Police Station- Rajauli, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Revenue and Land Reform Department, Government of Bihar, Patna.
2. The Land Reform Deputy Collector Rajauli, Nawada.
3. The Collector Nawada.
4. Rupesh Kumar Son of Parmendra Kumar Resident of Village- Kariganw, Post Office- Bahadurpur, Police Station- Rajauli, District- Nawada.
5. Mahendra Singh Son of Late Ramswaroop Singh Resident of Village- Kariganw, Post Office- Bahadurpur, Police Station- Rajauli, District- Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Parashuram Singh, Advocate
For the Respondent/s : Mr. W.A. Khan, AC to SC-25

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 14-08-2019 Heard learned counsel for the parties.

In a pre-emption proceeding under Section 16(3) of Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961(hereinafter referred to as 'the Act'), the petitioner was a pre-emptor. After having lost before the Deputy Collector Land Reforms, Rajauli in the pre-emption proceeding, he had filed an appeal before the Collector, Nawada giving rise to Pre-emption Appeal Case No. 228(R) of 2016. The said appeal has been disposed of by an order dated 07.06.2019 declaring the same to have abated in the light of



repeal of Section 16(3) of the Act itself and introduction of sub-section (4) to Section 16 of the Act by Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) (Amendment) Act, 2019.

In view of clear language of Section 16(4) of the Act, which has been introduced consequent upon amendment, I do not find any legal infirmity in the order impugned, which does not require any interference.

This application is accordingly dismissed.

(Chakradhari Sharan Singh, J)

Rajesh/-

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