

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22702 of 2019

1. Arun Kumar Singh, aged about 60 years, male, Son of Late Shiv Narayan Singh, Resident of Village- Chandpur Bhangaha, Police Station- Chandpur, District- Purnea at present residing at Ward No.8, Raibhir, Police Station- Shankarpur, District- Madhepura.
2. Kartik Prasad Singh, aged about 48 years, male, Son of Late Shiv Narayan Singh, Resident of Village- Chandpur Bhangaha, Police Station- Chandpur, District- Purnea at present residing at Ward No.8, Raibhir, Police Station- Shankarpur, District- Madhepura.
3. Shyam Narayan Singh, aged about 53 years, male, Son of Late Shiv Narayan Singh, Resident of Village- Chandpur Bhangaha, Police Station- Chandpur, District- Purnea at present residing at Ward No.8, Raibhir, Police Station- Shankarpur, District- Madhepura.
4. Manoj Kumar Singh, aged about 49 years, male, Son of Late Shiv Narayan Singh, Resident of Village- Chandpur Bhangaha, Police Station- Chandpur, District- Purnea at present residing at Ward No.8, Raibhir, Police Station- Shankarpur, District- Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms, Govt. of Bihar, Patna.
2. The Collector, Madhepura.
3. The Additional Collector, Madhepura.
4. The Sub-Divisional Magistrate, Madhepura.
5. The Anchal Adhikari, Shankarpur, District- Madhepura.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Jitendra Prasad Singh
For the Respondent/s : Mr.Sajid Salim Khan (Sc25)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 03-12-2019 Heard both sides.

The petitioners have filed this writ petition for setting



aside the order dated 06.08.2019, passed by the Additional Collector, Madhepura in Ceiling Case No.03 of 1997 by which the Additional Collector has dropped the proceeding as abated in view of the provisions laid down under Section 45(D) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 and also for direction to the respondents to allow separate unit from the land acquired from the joint family in favour of Most. Jaleshwari Devi (aunt of the petitioners).

Learned counsel for the petitioners submits that in view of the Amending Act by which the amendment has been brought in Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, Section 45(B) of the Act has been deleted. In view of deletion of Section 45, the Additional Collector dropped the proceeding initiated under Section 45(B) of the Act but now Section 30 has been inserted in the Act and the same vested power in the Collector to reopen the case on certain grounds enumerated therein.

I dispose of this writ petition with direction to the petitioners to file petition before the Collector, Madhepura under newly inserted Section 30 of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act.



On such, the Collector, Madhepura shall pass order in accordance with law after hearing the parties.

With the aforesaid direction, this writ petition is disposed of.

(Prabhat Kumar Jha, J)

S.KUMAR/-

U			
---	--	--	--

