

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23075 of 2019

Bindeshwari Mandal @ Vindeshwari Mandal, aged about 64 years, Male, Son of Late Dukha Mandal, Resident of Village Dinapatti, Tola Piparahi, Police Station- Pipara, District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary to Govt. of Bihar, Department of Revenue, New Secretariat, Patna.
2. The Collector of District Supaul.
3. The Deputy Collector Land Reforms, Supaul.
4. Smt. Amrita Devi, Wife of Shri Ramchandra Mehta, Resident of Village- Dinapatti Tola, Piparahi, Police Station- Pipara, District- Supaul.
5. Pramod Kumar Chaudhary, Son of Late Jainandan Chaudhary, Resident of Village- Thumle, Police Station and District- Supaul.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Naresh Kumar Mehta
For the Respondent/s : Mr.Subash Chandra Yadav (Gp15)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 22-11-2019 Heard both sides.

The petitioner, pre-emptor filed this writ petition to quash the order dated 28.05.2019, passed in Preemption Appeal Case No.09/2018 by which the appeal has been consigned to record in view of the Amendment Act, 6 of 2019 in Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) by which Section 16(3) of the Act has been repealed and the right of preemption is abolished. The petitioner is the pre-emptor. The Amending Act 6 of 2019 says that after abolition of right of preemption any case pending before any court shall be



consigned to record and the pre-emptor has got no right to get the lands transferred in his name from the purchaser of the land. The Collector under the Act in whose court the preemption appeal was pending consigned the preemption appeal to record in view of the provisions of Amending Act 6 of 2019.

Having considered the facts aforesaid, I do not find any illegality in the order and thus, this writ petition is devoid of any merit and the same is dismissed.

(Prabhat Kumar Jha, J)

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