

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 24446 of 2019

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Sattan Singh @ Satan Singh, aged about 74 years (Male), Son of Late Bhunni Singh @ Jhunni Singh Resident of Village-Nadiami, P.S.-Sakatpur, District-Darbhangha.

... .. Petitioner/s

Versus

1. The State of Bihar through Director, Land Reform, Bihar, Patna.
2. The Secretary, Land Reform, Bihar Patna.
3. The Commissioner District Darbhanga.
4. The Collector District Darbhanga.
5. The Additional Collector District- Darbhanga.
6. The L.R.D.C. Darbhanga.
7. Raghunandan Singh Son of Jaldhar Singh, Resident of Village-Narayanpur, P.S.-Sakatpur, District-Darbhangha.
8. Ugeresh Singh Son of Late Bhuttu Singh Resident of Village-Narayanpur, P.S.-Sakatpur, District-Darbhangha.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar and Mr. Vinay Kumar Mishra, Advocates
For the State	:	Mr. Sajid Salim Khan, SC 25

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 09-12-2019

Heard learned counsel for the petitioner and learned SC
25 for the State.

2. The petitioner has moved the Court for the following
relief:

*“That this is an application for
issuance of appropriate writ/writs and/or
order/orders and/or direction/directions for grant
of following reliefs are as follows:-*

*i. For issue a writ of certiorari for
quashing the order dated 02.07.2019 passed by*



Deputy Collector Sadar, Darbhanga in Area Ceiling case No. 03 of 2017-18.
ii. For issuance of other writ or order or direction which may deem fit and proper for ends of justice.”

3. At the very outset, learned counsel for the parties do not dispute the position that the issue is governed by the amendment brought about in the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) (Amendment) Act, 2019, with effect from 25.02.2019, by which Section 16(3) has been repealed. It was submitted that the vires of such amendment is under challenge before the Division Bench.

4. In such view of the matter, the present application stands disposed off with the observation that if ultimately the challenge to the vires of the amendment is upheld, the petitioner shall have a cause of action to move before the Authority concerned, in accordance with law.

(Ahsanuddin Amanullah, J.)

P. Kumar

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