

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 23875 of 2019

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Rajeev Ranjan Kumar, aged about 38 years, Male, Son of Shri Krishna Prasad, Resident of Village-Dariyapur, P.S.-Warisaliganj, District-Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary-cum-Chief Commissioner, Government of Bihar, Patna.
2. The Chief Commissioner-cum-Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary-cum-Commissioner, Department of Revenue, Government of Bihar, Patna.
4. The Joint Secretary, Department of Revenue, Government of Bihar, Patna.
5. The Commissioner, Magadh Division, Gaya.
6. The Collector-cum-D.M., Nawada.
7. The Deputy Collector, Land Reforms (D.C.L.R.), Sadar Sub-division, Nawada.
8. Sagar Ram, aged about 54 years, Male, Son of Late Kameshwar Ram, Resident of Village-Dariyapur, P.S.-Warisaliganj, District-Nawada.
9. Anil Prasad, aged about 58 years, Male, Son of Late Ram Krishna Prasad, Resident of Village-Dariyapur, P.O.-Dariyapur, P.S.-Warisaliganj, District-Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. M. P. Bhartee and Mr. Jitendra Kumar, Advocates
For the State	:	Mr. Arun Kumar Bhagat, AC to AAG 12

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

ORAL ORDER

2 03-12-2019 Heard learned counsel for the petitioner and learned

AC to AAG 12 for the State.

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

*“That this petition is directed
against the order dated 07.06.2019 passed by
Learned Collector (Respondent No. 6) by
which the Ceiling Appeal No. 09 (R)/ 2018*



*has been dropped in view of letter no. 235 (8)
Rev dated 05.04.2019.”*

3. Learned counsel for the State, at the very outset, submitted that the order impugned passed by the Collector, Nawada, is based on The Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) (Amendment) Act, 2019 by which Section 16(3) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 has been repealed. Thus, it was submitted that without challenge to the said amendment, no relief can be granted in the present writ application.

4. Faced with the situation, learned counsel for the petitioner submitted that the writ petition be disposed off with liberty to the petitioner to file an appropriately constituted application challenging the said repeal declaring all pending proceedings to be deemed abated.

5. Having regard to the aforesaid, the writ application stands disposed off with liberty aforesaid.

(Ahsanuddin Amanullah, J.)

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