

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1205 of 1998

1. (a) Most Kashmira Kuer, wife of Late Sant Belash Tiwary.
(b) Raj Bansh Tiwary, son of Late Sant Belash Tiwary
(c) Rama Kant Tiwary, son of Late Sant Belash Tiwary
(d) Surendra Tiwary, son of Late Sant Belash Tiwary

All are residents of village-Sugahar, P.O.-Rsen, P.S.-Rajpur, District-Buxar.

(e) Mostt. Jitana Kuer, wife of Late Shyam Narain Pandey, daughter of Sant Belash Tiwary, resident of village and Post-Panjaraon, P.S.-Ramgarh, District-Kaimur.

(f) Shghara Devi, wife of Rameshwar Pathak, daughter of Sant Belash Tiwary, resident of village-Baheri, P.O.-Torani, P.S.-Kargahar, District-Rohtas.

(g) Meera Devi, wife of Udai Narain Upathyaya, D/O Late Sant Belash Tiwary, R/o village and P.O.-Rwewatipur, P.S.-Suhawal, District-Gazipur (UP)

(h) Usha Devi, wife of Sadanand Pandey, D/O Late Sant Belash Tiwary, R/o village and P.O.- Mahana, P.S.-Bhadura, District-Gajipur (UP).

2. Chandrama Tiwary, son of Late Ganesh Tiwary.
3. Baishuki Nath Tiwary, son of Late Nagina Tiwary.
4. Shree Kant Tiwary, son of Late Nagina Tiwary.
5. Bhola Devi, daughter of Late Nagina Tiwary.

All are residents of village-Sigahar, P.O.-Rasen, P.S.-Rajpur, District-Buxar.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. Deputy Director Consolidation (Headquarter), Patna.
3. Assistant Director Consolidation, Bhojpur, Arrah.
4. Consolidation Officer, Rajpur.
5. Mostt. Lal Muni Kuer, wife of Late Rajendra Pd. Ray.
6. Ashok Kumar Ray, son of Late Rajendra Pd. Ray.
7. Pramtma Ray.
8. Sangita Ray.
9. Gudu Rai @ Kiran Ray.
10. Suman Ray.
11. Mitu Ray

S Nos. 7 to 11 all daughters of Late Rajendra Prasad Ray.

All are residents of village-Chitandihra, P.O.-Rasen, P.S.-Rajpur, District-Buxar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Revti Kant Raman, Advocate
For the Respondent/s : Mr. Gyan Shankar, AC to GP-2

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL JUDGMENT

Date : 25-11-2021



Heard learned counsel for the petitioners and learned counsel for the respondents.

2. The present writ petition has been filed with a prayer for quashing the order dated 04.12.1997 passed by Deputy Director, Consolidation (Headquarter), Bihar, Patna in Consolidation Revision Case No. 18 of 1997 (Annexure-7) as well as order dated 28.12.1996 passed by Assistant Director, Consolidation, Bhojpur, Arrah in Consolidation Appeal No. 78/1991-92 (Annexure-6).

3. Learned counsel for the respondents, at the outset itself, invites reference to Section 9 of Bihar Land Tribunal Act, 2009 which provides that the Tribunal shall have the power to entertain any application against the final order passed by the appropriate authorities under various enactments, inter alia, including the Bihar Consolidation of Holdings and Prevention of Fragmentation Act, 1956. It is therefore, submitted that the issues arising out of the impugned order can well be adjudicated by the Tribunal.

4. Learned counsel for the petitioners does not dispute the above proposition and has no objection in this regard.



5. The Registry is accordingly directed to transmit the records of this case to the Tribunal forthwith, in view of the proviso to Section 15 of the Bihar Land Tribunal Act, 2009.

6. It is expected that the Tribunal, having regard to the long period during which the case has remained pending, shall take steps for its expeditious disposal, preferably within a period of one year.

(Vikash Jain, J)

V.K.Pandey/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	26.11.2021
Transmission Date	N.A.

