

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6474 of 2002

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1 (i) Most. Kishori Devi, W/o Late Sitaram Prasad Sahu
(ii) Arbind Kumar, S/o Late Sitaram Prasad Sahu
(iii) Basanti Kumari, D/o Late Sitaram Prasad Sahu
All resident of Village- Sonbarsa, Police Station- Laukahi
Sub Division- Phulparas, District- Madhubani

... .. Petitioners

Versus

1. The State of Bihar.
2. Collector, Madhubani
3. D.C.L.R. -cum-Bataidari magistrate, Jhanjharpur, District- Madhubani
4. Jevachiram son of Late Khisilal Ram
Resident of Village- Sonbarsa, P.S. Laukahi, Sub Division- Phulparsa,
District- Madhubani.

... .. Respondents

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Appearance :

For the Petitioners : Mr. Khurshid Ahmad Siddiqui, Advocate
For the Respondent/s: None

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 25-11-2021

The present writ petition has been filed *"for quashing the order dated 02.02.2002 passed by respondent-Collector in Bataidari Case No. 92/96-97, whereby the respondent Collector purported to set aside the order dated 04.09.1992 passed by D.C.L.R., respondent no. 3 and remanded the case for fresh disposal in accordance with law as well as for restraining the respondent D.C.L.R. from proceeding any further in pursuance to order dated 02.02.2002 passed by Collector, Madhubani, respondent no. 2.*

3. At the outset itself, reference may be made 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 Tenancy Act, 1885. As such, 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)

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AFR/NAFR	NAFR
CAV DATE	N.A.
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