

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1851 of 2002

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1. Kaushal Kishore Karn, S/o Late Tripit Lal
2. Raj Kishore Kara, S/o Late Tripit Lal
3. Most. Rukhmini Devi, W/o Late Tripit Lal
4. Reghubir Sharan Lal, Son of Late Fateh Lal
5. Lakshman Lal Karn, Son of Late Fateh Lal
6. Awadhesh Kishore Karn, Son of Late Fateh Lal
7. Deo Narain Lal, son of Late Sone Lal
8. Indra Kishore Lal Karn, son of Late Jadubir Sharan Lal
9. Most. Sushila Devi, Wife of Late Jadubir Sharan Lal

All residents of Village- Simra, Police Station- Dumra, District-
Sitamarhi.

... .. Petitioners

Versus

1. The State of Bihar.
2. The Joint Director, Consolidation, Muzaffarpur.
3. The Dy. Director, Consolidation, Sitamarhi.
4. The Consolidation Officer, Dumra, District- Sitamarhi.
5. Siya Sewak Prasad Verma, Son of Late Janki Prasad
6. Most. Chandrawati Devi, Wife of Late Ram Sewak Prasad Verma
7. Prahalad Prasad Verma, son of late Ram Sewak Prasad Verma

All Private respondents' residents of Village- Simra, Police
Station- Dumra, District- Sitamarhi.

... .. Respondents

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Appearance :

For the Petitioners : Mr. Prasoon Sinha, Advocate
For the Respondents : Mr. GP-7

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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 *"for quashing the order dated 26.02.2001 passed by the Joint Director of Consolidation, Muzaffarpur in Revision Case No. 32/90 under Section 35 of the Bihar Consolidation of Holdings and Prevention of Fragmentation Act (hereinafter referred to as "the Consolidation Act") by which the order dated 05.10.1988 passed by the Dy. Director of Consolidation, Sitamarhi*



in Appeal No. 169 of 1988 has been set aside and claim of private respondent nos. 5 to 7 herein for correction of Revisional Survey Khatiyar has been allowed.”

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)

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AFR/NAFR	NAFR
CAV DATE	N.A.
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