

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12507 of 2001

Kumari Nilam Sinha

... .. Petitioner/s

Versus

The State Of Bihar And Ors

... .. Respondent/s

Appearance :

For the Petitioner : Mr.Manoj Kumar 1, Advocate

For Respondent No.3 : Mr.Ajit Kumar No.1, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 02-12-2021 Heard Mr. Sri Nandan Pd. Singh, learned senior
counsel for the petitioner and Mr. Ajit Kumar, learned counsel
for the respondent no.3.

The writ application has been filed for quashing of
order dated 25.08.2001 passed by the Collector, Vaishali in
Revision Case No. 85 of 1996 under Section 32 of the Bihar
Consolidation of Holdings and Prevention of Fragmentation
Act, 1956, which is a schedule Act, under Section 9 of the Bihar
Land Tribunal Act, 2009. This Court is of the opinion that this
matter can well be adjudicated by the Tribunal.

Accordingly, in view of proviso to Section 15 of the
Bihar Land Tribunal Act, 2009, the Registry is directed to
transmit the record of this case to the Tribunal forthwith.

However, considering the fact that the case was
pending before this Court since long, it is expected that the



Tribunal will hear and dispose of the case within a period of nine months from the date of receipt of record of this case after giving proper notice to all the parties concerned, including the petitioner.

Mr. Sri Nandan Pd. Singh, learned senior counsel for the petitioner submits that there are a large number of the cases under the provisions of the Bihar Consolidation of Holdings and Prevention of Fragmentation Act, 1956, which is a schedule Act which are pending in this Court and now in view of Section 15 of the Bihar Land Tribunal Act, they can be transmitted to the Bihar Land Tribunal.

Office is directed to make a list of all the records of such cases.

In view of the proviso to Section 15 of the Bihar Land Tribunal Act, 2009, place it before the appropriate Bench after obtaining necessary orders of the Hon'ble the Chief Justice so that all these matters be transferred to the Bihar Land Tribunal.

(Sandeep Kumar, J)

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