

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8509 of 2015

1. Dr. Shyam Bihari Prasad Sinha Alias Dr. Gopal Jee Sahay S/o Late Babu Madan Mohan Sahay Resident of Village and P.O. Babhnaul, P.S./ Anchal -Dawath, District- Rohtas at present residing at A/17, Sri Ram Path, New Punaichak, Patna- 23.
- 2.1. Kiran Bala W/o Late Dr. Anand @ Dr. Aanand Mohan Sahay Resident of Village and P.O. Babhnaul, P.S./ Anchal Dawath, District- Rohtas at present residing at A/17, Sri Ram Path, New Punaichak, Patna- 23.
- 2.2. Priyam Anand S/o Late Dr. Anand @ Dr. Aanand Mohan Sahay Resident of Village and P.O. Babhnaul, P.S./ Anchal Dawath, District- Rohtas at present residing at A/17, Sri Ram Path, New Punaichak, Patna- 23.
- 2.3. Priya Sri D/o Late Dr. Anand @ Dr. Aanand Mohan Sahay Resident of Village and P.O. Babhnaul, P.S./ Anchal Dawath, District- Rohtas at present residing at A/17, Sri Ram Path, New Punaichak, Patna- 23.
- 2.4. Divya Sri D/o Late Dr. Anand @ Dr. Aanand Mohan Sahay Resident of Village and P.O. Babhnaul, P.S./ Anchal Dawath, District- Rohtas at present residing at A/17, Sri Ram Path, New Punaichak, Patna- 23.
3. Dr. Atul Mohan Sahay, Son of Dr. Shyam Bihari Prasad Sinha @ Dr. Gopal Jee Sahay Resident of Village and P.O. Babhnaul, P.S./ Anchal Dawath, District- Rohtas at present residing at Arogya Mandir Turha Toli, Main Road, Buxar, P.O., P.S. and District- Buxar (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Director of Consolidation, Bihar, Patna.
3. The Joint Director of Consolidation, Hd. Qtr., Patna.
4. The Deputy Director of Consolidation, Rohtas at Sasaram.
5. The Consolidation Officer, Dawath, Rohtas, Sasaram.
6. Prava Shankar Choudhary, Son of Late Sukhdeo Choudhary Resident of Village and P.O. Babhnaul, P.S./Anchal Dawath, District- Rohtas.
7. Uma Shankar Choudhary, Son of Late Sukhdeo Choudhary Resident of Village and P.O. Babhnaul, P.S./Anchal Dawath, District- Rohtas.
8. Suresh Choudhary, Son of Late Jiut Choudhary Resident of Village and P.O. Babhnaul, P.S./Anchal Dawath, District- Rohtas.
9. Ramashish Choudhary, Son of Late Jiut Choudhary Resident of Village and P.O. Babhnaul, P.S./Anchal Dawath, District- Rohtas.
10. Ram Parikha Choudhary, S/o Late Madho Choudhary Resident of Village and P.O. Babhnaul, P.S./Anchal Dawath, District- Rohtas.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. R.K.P. Singh, Adv. Mr. Bal Bhushan Choudhary, Adv.
For the Respondent/s	:	Mr. Manoj Kumar Sinha, (AC to GA-9)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 19-09-2023 Heard learned counsel for the petitioners and learned counsel for the State.

2. It transpires to this Court that the order of revision is under challenge before this Court, which has been passed by the Director and Joint Director of Consolidation, Patna under the Bihar Consolidation of Holdings and Prevention of Fragmentation Act, 1956 [Bihar Act 22 of 1956] (hereinafter referred to as ‘the Act of 1956’).

3. It also transpires to this Court that the Act of 1956 is a schedule Act, under Section 9 of the Bihar Land Tribunal Act, 2009 [Bihar Act 9 of 2009] (hereinafter referred to as ‘the Act of 2009’) and this Court is of the opinion that the matter can well be adjudicated by the Bihar Land Tribunal, Patna.

4. Accordingly, in view of proviso to Section 15 of the Act of 2009, the Registry is directed to transmit the record of this case to the Tribunal forthwith and the Bihar Land Tribunal, Patna is directed to issue notice to both the parties and dispose of this matter within nine months from the date of completion of the appearance of the parties.

5. With this direction, the present writ application is hereby disposed of.

(Dr. Anshuman, J.)

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