

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19773 of 2015

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1. Ravindra Mahton
 2. Sachhita Nand Mahton @ Sachhita Mahton
 3. Rajesh Mahton All are sons of Late Sidheshwar Mahton, all are resident of
Pai Bigha, P.S. Belaganj, Dist- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Circle Officer, Belaganj Circle, Dist- Gaya.
3. Deputy Collector Land Reforms, Gaya Sadar, Dist- Gaya.
4. Add. Collector, Gaya.
5. Bhuneshwar Mahton, S/o Late Nathun Mahton
6. Amrendra Mahton
7. Sanjay Mahton 6,7 are sons of Late Bhuneshwar Mahton, 5,6,7 are resident
of Pai Bigha, P.S. Alamganj, Dist- Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Tilak Sao
For the Respondent/s : Mr. Sadanand Paswan- GP29

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-10-2023 Heard learned counsel for the parties.

2. Present writ petition has been filed for confirmation of order dated 11.11.2008 passed by the respondent No. 2/Circle Officer, Belaganj Circle, Dist- Gaya in Mutation Case No. 2048/06-07 (Annexure No. III) and for setting aside order dated 11.07.2011 passed by the respondent No. 3/Deputy Collector Land Reforms, Gaya Sadar, Dist- Gaya in Mutation Appeal No. 05/11-12 (Annexure No. IV) as also for setting aside order dated 25.10.2013 passed by respondent No. 4/Additional Collector,



Gaya in Mutation Revision No. 217/2011 (Annexure No. V) and further, for setting aside order dated 12.10.2015 passed in B.L.T. Case No. 571/2014 (Annexure No. VI).

3. Learned counsel appearing for the petitioner submits that during pendency of the writ petition, Bihar Land Tribunal has become functional and proviso to Section 15 of the Bihar Land Tribunal Act, 2009 which reads as “Provided further that it shall be open to the High Court of Judicature at Patna to remit the dispute pending adjudication in any writ proceeding before it for adjudication by the Tribunal”. Section 15 of the Act of 2009 stipulates that all cases connected with the Acts/Manuals dealt with under Section 9 of this Act and pending in the High Court of Judicature at Patna, but excluding writ petitions filed under Articles 226 and 227 of the Constitution of India and cases pending with the State Government, immediately before the commencement of this Act, as could have been within the jurisdiction of such Tribunal, and cases arising after the commencement of this Act, as would have been within the jurisdiction of such Tribunal, shall stand transferred to the Tribunal with effect from the said date of commencement.

Learned counsel submits that liberty may be given to the petitioner to approach the Bihar Land Tribunal for proper



adjudication of the matter.

4. In view of the aforesaid submission, let the petitioner file afresh application before the Bihar Land Tribunal for adjudication of the matter, within a period of four weeks from the date of receipt of this order.

5. Writ petition stands disposed of with the aforesaid directions.

(Prabhat Kumar Singh, J)

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