

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10328 of 2019

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Md. Nadim Akhtar Son of Late Md. Quasimuddin Resident of Village- Ikkil
Dhorha, P.S.- Makhdumpur, District- Jehanabad ... Petitioner
Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Land Revenue Department, Government of Bihar, Patna.
3. The District Magistrate, Jehanabad.
4. The Deputy Collector, Land Reform, Jehanabad.
5. The Circle Officer, Makhdumpur, Jehanabad.
6. Dukharam Manjhi Son of Ram Lagan Manjhi Resident of Village- Ikkil Dhorha, P.S.- Makhdumpur, District- Jehanabad.
7. Parwati Devi D/o Baleshwar Manjhi, Wife of Late Ram Bali Manjhi Resident of Village- Ikkil Dhorha, P.S.- Makhdumpur, District- Jehanabad.
8. Kari Devi D/o Babulal Manjhi, Wife of Raj Kishore Manjhi Resident of Village- Ikkil Dhorha, P.S.- Makhdumpur, District- Jehanabad.
9. Kaushelya Devi D/o Dev Dhari Manjhi, Wife of Arjun Manjhi Resident of Village- Ikkil Dhorha, P.S.- Makhdumpur, District- Jehanabad.
10. Raj Patiya Devi D/o Late Dev Dhari Manjhi, Wife of Saryu Manjhi Resident of Village- Ikkil Dhorha, P.S.- Makhdumpur, District- Jehanabad.
11. Brinda Devi D/o Saryu Manjhi, Wife of Rajendra Manjhi Resident of Village- Ikkil Dhorha, P.S.- Makhdumpur, District- Jehanabad.
12. Bunni Devi D/o Late Baishakhi Manjhi, Wife of Dinesh Manjhi Resident of Village- Ikkil Dhorha, P.S.- Makhdumpur, District- Jehanabad.
13. Parvila Devi D/o Late Janardhan Manjhi, Wife of Ram Vinay Manjhi Resident of Village- Ikkil Dhorha, P.S.- Makhdumpur, District- Jehanabad.
14. Mati Devi D/o Late Hari Charan Manhi, Wife of Ram Parvesh Manjhi Resident of Village- Ikkil Dhorha, P.S.- Makhdumpur, District- Jehanabad.
15. Meena Devi D/o Late Parmeshwar Manjhi, Wife of Kishun Manjhi Resident of Village- Ikkil Dhorha, P.S.- Makhdumpur, District- Jehanabad.
16. Sugwa Devi D/o Late Jaythan Manjhi, Wife of Bhuneshwar Manjhi Resident of Village- Ikkil Dhorha, P.S.- Makhdumpur, District- Jehanabad.
17. Jayanti Devi D/o Late Lal Kishun Manjhi, Wife of Girija Manjhi Resident of Village- Ikkil Dhorha, P.S.- Makhdumpur, District- Jehanabad.
18. Ramanti Devi D/o Sukhu Manjhi, Wife of Beshar Manjhi Resident of Village- Ikkil Dhorha, P.S.- Makhdumpur, District- Jehanabad.
19. The Sub Divisional Officer Jehanabad Jehanabad

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr Ramakant Sharma, Senior Advocate
Mr.Rajesh Kumar, Advocate
For the Respondent/s : Mr.Md. Khurasid Alam (Aag12)



CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 03-10-2023 Heard learned counsel for the petitioner and the State.

2. Present writ petition has been filed for setting aside parwana/settlement order no. 01 to 16 issued in Case No. 05/13-14 in the name of private respondent no. 6 to 18.

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. If such application is filed before the Bihar Land Tribunal within the aforesaid stipulated period, interim order dated 22.8.2023 shall remain in force till first date of hearing of the matter before the Tribunal.

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

(Prabhat Kumar Singh, J)

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