

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9440 of 2023

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1. Smt. Bimla Devi Wife of Sri Madan Prasad resident of Mohalla PH4 Building, S-7, Sector - 2A, P.O. and P.S. - Basundhra District Gaziabad, Uttar Pradesh.
 2. Smt. Bindu Devi @ Bindu Kumari Wife of Late Ramdhari Tiwary resident of village Pariyawan P.O. Atiyawan District Jehanabad.
 3. Smt. Pinki Devi, Wife of Sri Yogendra Sharma, resident of village Kokarsa P.O. Bhagwanpur District Jehanabad.
 4. Smt. Rekha Devi, Wife Sri Sanjeet Kumar, resident of village Rampur Charui P.O. Modanganj District Jehanabad at present Near Brilliant Public School P.O. and District Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, Jehanabad.
2. The Circle Officer, Sadar Block, Jehanabad.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar
For the Respondent/s : Mr. Md. Khurshid Alam (Aag 12)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-12-2023 Heard learned counsel for the petitioners and State.

2. This writ application has been filed for non-implementation of the order dated 29.08.2022 passed in B.L.T. Case No. 135 of 2022, as contained in Annexure – 2 to the writ application.

3. At the outset, learned counsel for the State raises preliminary objection to the effect that petitioner has got alternative remedy under Section 12 of the Bihar Land Tribunal Act, 2009, which reads as follows:-



“12. Penalty for the contravention of the orders of the Tribunal. - Any person who wilfully fails to comply with any summons, requirement, direction or order issued or made by the Tribunal, shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to five thousand rupees or both.”

4. Accordingly, in the light of above proposition of law, learned counsel for the petitioners requests for disposal of the present writ application granting liberty to the petitioners to file representation before the competent authority in accordance with law.

5. The writ application disposed of with liberty, as indicated above. If such application / representation is filed within a period of six weeks from today, the competent authority shall pass order after hearing the parties in accordance with law, preferably within a period of six months from the date of filing of such application.

6. with above observation and direction, the writ application stands disposed.

(Prabhat Kumar Singh, J)

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