

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5853 of 2015

Indu Kar Choudhary Son of Late Parmanand Chaoudhary, resident of Village- Nehra, Police Station- Manigachhi, District- Darbhanga.

... .. Petitioner/s

Versus

1. Bihar Bhoodan Yagna Committee, Patna and Ors
2. Chairman, Bihar Bhoodan Yagna Committee, Patna
3. Karyalay Mantri, District Bhoodan Yagna Committee, Madhubani.
4. Circle Officer, Manigachhi, Darbhanga.
5. Bilat Choupal, Son of Dukha Choupal
6. Ganour Chaoupal, Son of Bhola
7. Pawan Kumar, Son of Ram Balak Yadav
8. Ram Sahni, Son of Basudeo
9. Dukhram Paswan, Son of Khokhai Paswan
10. Mostt. Ram Rukhi, Wife of Late Tunai Yadav
11. Garib Yadav Son of Subelal Yadav All residents of Village- Jagdishpur, Police Station- Manigachh, District- Darbhanga
12. The State of Bihar through the Principal Secretary, Revenue Department, Government of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Baidya Nath Thakur, Advocate
For the State	:	Mr. Arvind Kumar No. 1- SC-13
For the BBYC	:	Ms. Alka Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 25-09-2023 Learned counsel for the petitioner and counsel for the State are present.

2. Learned counsel for the petitioner submits that the petitioner has purchased land in the year 1913 and 1929 by three different registered sale deeds. Counsel submits that after purchase of the property, he came in the possession and started



enjoying the same but the son of the vendor of the petitioner have donated the said land to Bhoodan Yagna Committee. According to him, the donor is incompetent to make a gift.

3. Counsel for the petitioner submits that counter affidavit has been filed and in the said counter affidavit, the stand of State is clear and it has been stated that until and unless the reply of Bihar Bhoodan Yagna Committee shall not be filed, this case cannot be adjudicated.

4. Counsel for the petitioner submits that there is immediate threatening of dispossession of the petitioner from his land.

5. In this view of the matter, that there is a special law framed namely Bihar Land Dispute Resolution Act, 2009 (hereinafter referred to as the “Act of 2009”), the petitioner is directed to file an application before the Deputy Collector Land Reforms who is a revenue authority and revenue authority shall decide all the points as laid down U/s 11 (iv) and other provisions of law of the Bihar Bhoodan Yagna Act, 1954 after hearing all concerns including the Bhoodan Yagna Committee and the persons from whom there is a threatening of dispossession to the petitioner. The petitioner shall be at liberty to raise any interim claim before the Deputy Collector Land



Reforms under the Act of 2009 and the Deputy Collector Land Reforms is directed to pass appropriate order in accordance with law within 90 days from the date of completion of appearance of the parties concerned.

6. With the above observation and direction, the present petition stands disposed of.

(Dr. Anshuman, J.)

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