

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.6040 of 2017**

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Ram Prasad Mahto, Son of Late Fagoo Mahto, Resident of Village- Sondhi,  
P.S. Buniyadganj, Anchal Manpur, District Gaya.

... .. Petitioner/s

Versus

1. The State Of Bihar through Chief Secretary, Government of Bihar, Patna.
2. Deputy Collector Land Reform, Gaya
3. Additional Collector, Gaya
4. Commissioner, Gaya
5. Gauri Shankar Mahto, Son of Late Narsingh Mahto, Resident of Village-  
Sondhi, P.S. Buniyadganj, Anchal Manpur, District Gaya.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr. Ram Pravesh Sharma, Advocate<br>Ms. Madhuri Kumari, Advocate |
| For the Respondent/s | : | Mr. Sanjeev Kumar Singh, Advocate<br>Mr. Raj Kishore Roy-GP18    |

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**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA**  
**ORAL ORDER**

2      14-11-2024                      Heard learned counsels for the parties.

2. This writ petition has been filed against the order dated 07.10.2016 passed by the Bihar Land Tribunal, Patna in B.L.T. Case No. 702 of 2015 whereby and whereunder the learned Tribunal dismissed the petition of the petitioner and held that the Tribunal could not find any reason to interfere with the concurrent findings recorded by all the three Courts whereby claim of the pre-emptor has been allowed.

3. Learned counsel for the petitioner submits that the division Bench of this Court in *Sudhakar Jha and Ors. Vs. State of Bihar* reported in **2023 (6) BLJ 397** held that the cases



arising out of application under Section 16(3) of the Act stand abated. Accordingly, he submits that this case may be disposed of since all the proceedings with respect to the application under Section 16(3) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 have been abated.

4. Learned counsel for the State submits that the orders passed under Section 16(3) of the said Act is already abated and requires no further order in this case.

5. In view of submission of learned counsel for the parties and considering the aforesaid judgment of Division Bench of this Court in the aforesaid case, the proceeding in this case is abated and accordingly, disposed of.

**(Sunil Dutta Mishra, J)**

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