

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7676 of 2018

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Ramadhar Singh Son of Late Sheodhari Singh, Resident of Village-
Raghunathpur Tola Konhia, Police Station-Kesariya, Anchal Kalyanpur,
District-East Champaran. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Revenue Department,
2. The Divisional Commissioner, Tirhut Division, Muzaffarpur.
3. The Collector, East Champaran at Motihari.
4. The Land Reforms Deputy Collector, East Champaran at Motihari.
5. Taimul Mian Son of Late Amir Mian.
6. Bibi Noor Jahan Wife of Mohammad Mian.
7. Sri Baleshwar Singh Son of Late Sheoraj Singh. Respondent No. 5 to 7 are
Resident of Village-Raghunathpur, Tola Konhai, Police Station-Kesariya,
Anchal Kalyanpur, District-Eat Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate
For the Respondent/s : Mr. Md. Khurshid Alam, AAG-12

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 19-09-2024 Heard the parties.

2. The present writ petition has been filed for the
following reliefs:

*“1. For issuance of writ in the
nature of certiorari for quashing the order
dated 9.1.2017 passed in B.L.T. Case No. 09
of 2016 by Smt. Mridula Mishra the Hon'ble
Chairman of the Bihar Land Tribunal, Patna
whereby and whereunder the application
filed by Respondents no.5 and 6 has been
allowed after quashing the orders passed by
the all three learned court below i.e. learned
Land Reforms Deputy Collector, East
Champaran by order dated 6.5.2004 passed
in Pre-emption case no. 13 of 2003-04 under
section 16(3) of the Fixation of Ceiling Area
and Acquisition of Surplus Land Act, 1961,
the order dated 15.7.2006 passed by the
Collector in Land Ceiling Appeal No.7 of
2004 and order dated 25.10.2011 passed in*



*Pre-Emption Revision No. 51 of 2008
respectively.*

*II. For any other relief/reliefs to
which the petitioner may be entitled to.”*

3. After some arguments, learned Advocate for the petitioner fairly submitted that during the pendency of the writ petition, in view of the amendment in Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961, Section 16(3) has been repealed by the Amending Act, 2019, which came into force on 25.02.2019.

4. Learned Advocate for the State submits that in view of the amending act, now the present writ petition has become infructuous, as any proceeding pending before the Court stands abated.

5. Regard being had to the submissions made on behalf of the parties and taking note of the provisions of the amending act, whereby Section 16 (3) has already been repealed and thus, all the proceeding stands abated under Section 16(4) (1), the writ petition has become infructuous.

6. Accordingly, the writ petition stands closed.

(Harish Kumar, J)

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