

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14157 of 2024

1. Asesar Yadav S/o Late Ram Chandar Yadav, resident of Village and P.O.-Gulariya, P.S.-Ramgarhwa, District-East Champaran.
2. Sheonath Yadav, S/o Late Chaudhur Yadav, resident of Village and P.O.-Gulariya, P.S.-Ramgarhwa, District-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land Reforms Department, Govt. of Bihar, Patna.
2. The Commissioner, Tirhut Division, Muzaffarpur.
3. The District Collector, East Champaran, Motihari.
4. The Additional Collector, East Champaran, Motihari.
5. The Deputy Collector Land Reforms, Raxaul, District East Champaran.
6. Mishri Yadav, S/o Late Santosh Yadav, resident of Village and P.O.-Gulariya, P.S.-Ramgarhwa, District-East Champaran.
7. Anand Yadav, S/o Mishri Yadav, resident of Village and P.O.-Gulariya, P.S.-Ramgarhwa, District-East Champaran.
8. Shreelal Yadav, S/o Mishri Yadav, resident of Village and P.O.-Gulariya, P.S.-Ramgarhwa, District-East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Advocate
For the Respondent/s : Mr. Additional Advocate General-4

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL JUDGMENT

Date : 19-09-2024

Heard learned counsel for the petitioners and learned counsel for the respondents.

2. The present writ petition has been preferred for setting aside the order dated 27-07-2023, passed by learned Commissioner, Tirhut Division, Muzaffarpur (respondent No.2) in Zamabandi Cancellation Revision Case No. 121 of 2022,



whereby revision application of the petitioners has been rejected on the ground of maintainability.

3. At the outset learned counsel for the State submits that the impugned order dated 27-07-2023, passed by the Commissioner, Tirhut Division, Muzaffarpur (respondent No.2) requires no interference of this Court, as the order dated 06-05-2022 passed by the Additional Collector, East Champaran, Motihari (respondent No.4) could have been assailed before the Collector of the concerned district under Section 9(6)(a) of the Bihar Land Mutation Act, 2011. Thus, petitioners have an alternative remedy by way of filing appeal before the Collector of the concerned district under Section 9(6)(a) of the Bihar Land Mutation Act, 2011.

4. Considering the fact that the petitioners have an alternative remedy, the petitioners are directed to file appeal along with the copy of this order before the concerned Collector as per the provisions of Section 9(6)(a) of the Bihar Land Mutation Act, 2011 within a period of six weeks along with application of condonation of delay in filing the appeal and the concerned Collector, after considering the fact that the petitioners were pursuing their remedy before this Court, will condone the delay and dispose of the same in accordance with



law.

5. With the aforesaid observation/direction, the present writ application stands disposed of.

(Rudra Prakash Mishra, J)

Raj Kishore/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	21-09-2024
Transmission Date	N/A

