

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5769 of 2017

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Mina Devi Wife of Birendra Kumar, resident of Village- Dhrubganj, P.S.
Kharik Naugachia, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. Bimla Devi, Wife of Late Nakul Sharma.
3. Bhawani Kumar Sharma.
4. Birbal Sharma.
5. Kundan Kumar, Respondent nos. 3 to 5 are sons of Late Nakul Sharma.
6. Sangita Kumari.
7. Archana Kumari, Respondent nos. 6 & 7 are D/o of Late Nakul Sharma, All residents of Village and P.S.- Kharik Naugachia, District- Bhagalpur.
8. Sahjanand Kumar.
9. Jai Prakash Kumar.
10. Jai Shankar Kumar.
11. Shiv Shankar Kumar,
12. Bhola Shankar Kumar. Respondent nos. 8 to 12 are sons of late Trishul Kumar, residents of Village- Dhrubganj, P.S.- Kharik Naugachia, District- Bhagalpur.
13. The D.C.L.R., Naugachia, Bhagalpur.
14. The Additional Collector, Bhagalpur, Bhagalpur.
15. The Commissioner, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shyama Nand Thakur
For the Respondent/s : Mr. Rishi Raj Sinha-Sc19

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 21-01-2025 Heard the parties.

2. Right to pre-emption provided in Section 16(3) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 has been taken away by the repealing Act No. 06 of 2019 and vide newly added Sections



16(1) (4(i), all the pending proceedings stand abated.

3. In view of aforesaid, the writ application has become infructuous. Accordingly, it is dismissed as infructuous.

4. However, the statutory amount of 10% deposited by the pre-emptor shall be refunded within a period of four months from the date of application to the concerned authority.

(Nawneet Kumar Pandey, J)

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