

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10461 of 2018

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Anirudh Singh Son of Late Ram Anup Singh, Resident of Village- Gumti,
P.O.- Bishunpur Titrah, P.S. Raja Pakar, District- Vaishali.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Revenue and Land Reforms.
2. Shashi Bhushan Thakur @ Bhushan Thakur, Son of Chandra Shekhar Thakur, Resident of Village- Biropur, P.S.- Hajipur, District- Vaishali.
3. Bhuwadeshwar Singh, Son of Late Sital Thakur, Resident of Village- Bishunpur Basant @ Subhai Tole Jamalpur, P.S.- Hajipur Sadar, District- Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Satish Narain Singh, Advocate
For the State : Mr. Manoj Kumar Sinha (SC-19)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

6 18-02-2025 Heard Learned Counsel for the petitioner and Learned
Counsel for the State.

2. The present writ petition has been filed for quashing of the order dated 17.12.2016 passed by the Collector, Vaishali in Misc. Case No.259/2012-13 (annexed as Annexure-2) whereby and whereunder the transfer of land under sale deed dated 25.02.2013 executed by Respondent no.3 in favour of the petitioner has been declared *void ab initio* with fine of Rs. 250/-.

3. Learned Counsel for the petitioner submits that the order has been passed under Section 32 of the Bihar Consolidation of Holdings and Prevention of Fragmentation Act, 1956 (Act No.22 of 1956) which is challengeable in the revision before the Revisional Authority of the consolidation.



But, since Revisional Authority was not available, therefore, petitioner has moved before this Hon'ble Court.

4. Upon specific query from Counsel for the petitioner that whether against the Revisional order, matter can be challenged before the Bihar Land Tribunal or not, he submits that it is true that all matters which has been passed by the consolidation has to be challenged before the Bihar Land Tribunal.

5. In this view of the matter, this Court without entering into merit or demerit of this case, grants liberty to the petitioner to challenge the said order passed under Section 32 before the Bihar Land Tribunal if, Revisional Authority is not available till today.

6. Upon filing of the application, the concerned authority shall pass order within 90 days after appearance of all the concerned in this matter. Hence, this writ petition is hereby disposed off with aforesaid liberty. Limitation if any, in filing such application is hereby directed to be condoned.

(Dr. Anshuman, J)

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