

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15537 of 2018

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Birendra Kumar Singh Son of Late Ramchandra Prasad Singh, Resident of
Mohalla- Bengali Para, Police Station- Rajgir, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Nalanda.
3. The Sub Divisional Officer, Rajgir, District- Nalanda.
4. The Deputy Collector, Land Reforms, Rajgir, District- Nalanda.
5. The Circle Officer, Rajgir, District Nalanda.
6. Shashi Bhushan Singh, Son of Yadunandan Sharma, Resident of Village-
Fatehpur, Post Office and Police Station- Nalanda, District- Nalanda.
7. Razi Ahmad, Son of Mohammad Safi, Resident of Village Mohanpur, Tola
Panhesa, Post Office and Police Station- Nalanda, District- Nalanda.
8. Uday Kumar, Son of Late Mahendra Prasad, Resident of Village- Surajpur
Tola Nona, Police Station and District- Nalanda.
9. Rajendra Prasad Singh alias Jitendra Singh, Son of Late Ramchandra Prasad
Singh, Resident of Village, Post Office and Panchayat Mahuri, Police
Station and District- Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Nath Dubey, Advocate
For the Respondent/s : Mr. Rishi Raj Sinha- SC 19

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 07-04-2025 Heard learned counsel for the parties.

2. The matter is pending since 2018.

3. Learned counsel for the parties submit that this
matter is concerned with the pre-emption right under Section
16(3) of the Bihar Land Reforms (Fixation of Ceiling Area and
Acquisition of Surplus Land) Act, 1961 which has already been
abated and hence, this writ petition may be disposed of.



4. The Co-ordinate Bench of this Court in the case of **Sudhakar Jha v. State of Bihar** reported in **2023 (6) BLJ 397** has held in para 51 that in view of Amendment of Section 16 of Act so also in view of the judgment of the Hon'ble Supreme Court in the case of **Punyadeo Sharma & Ors. v. Kamla Devi & Ors.** reported in **2022 (1) BLJ 434 (SC)** all cases or proceedings which are pending before any authority or Court stands abated and the amount deposited shall be refunded in the light of Section 16(4) of the Act.

5. In view of the facts and circumstances and the submissions of learned counsel for the parties, this writ petition stands disposed of.

(Sunil Dutta Mishra, J)

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