

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15655 of 2018

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Raghu Yadav S/o Late Kapi Yadav, R/o Village Kola Naryanpur, P.S.
Jagdishpur, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Bihar Land Ceiling Reform, Patna
2. The Commissioner, Bhagalpur Division, Bhagalpur.
3. The Collector, Bhagalpur.
4. The Deputy Collector Land Reforms, Sadar, Bhagalpur.
5. Smt. Usha Devi, W/o Sri Ganesh Yadav, resident of Village- Kola Narayanpur, P.S.- Jagdishpur, District- Bhagalpur.
6. Anoj Yadav @ Anoj Kumar Yadav, Son of Sri Ramkinkar Yadav, resident of Vilalge- Kola Narayanpur, P.S.- Jagdishpur, District- Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh, Advocate
For the Respondent/s : Mr. Raj Kishore Roy – GP 18

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 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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