

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.6439 of 2019**

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Tahsina Khatoon alias Tahsina Begum Wife of Late Hakimuddin resident of Village Bethbari, P.S. Bahadurganj, District Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, Kishanganj.
2. The Sub Divisional Magistrate, Kishanganj.
3. The Circle Officer, Bahadurganj, District Kishanganj.
4. Abul Muzaffar Alam Son of Late Sahrul Haque, resident of Village Kairi Birpur, P.S.- Kochadhaman, District- Kishanganj.
5. Saima Khatoon D/o Late Sahrul Haque, resident of Village Kairi Birpur, P.S.- Kochadhaman, District- Kishanganj.
6. Sabera Khatoon D/o Late Sahrul Haque, resident of Village Kairi Birpur, P.S.- Kochadhaman, District- Kishanganj.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate  
For the Respondent/s : Mr. Md. Khurshid Alam (AAG-12)

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

5      01-05-2025                      Heard Learned Counsel for the petitioner and Learned Counsel for the State.

2. The present writ petition has been filed for quashing the order dated 09.02.2015 passed by the Sub-Divisional Magistrate, Kishanganj in Revenue Appeal No.22 of 2014 under Section 48D of the Bihar Tenancy Act along with the order dated 08.10.2013 passed by the Circle Officer, Bahadurganj in Revenue Case No.35/13-14 whereby and where under, the order of the Circle Officer declaring the Kaimi Raiyati right to respondent nos.4 to 6 in respect of 65 decimals of land has been made.



3. Learned Counsel for the petitioner submits that the order passed by the SDM, Kishanganj as well as order passed by the Circle Officer, Bahadurganj, both are in utter violation of natural justice.

4. Learned Counsel for the State on the other hand submits that the statutory remedy is available to the petitioner to move before the Bihar Land Tribunal, but without exhausting her remedy before the Bihar Land Tribunal, she has directly moved before this Hon'ble Court.

5. In the light of the submissions made, this writ petition is hereby disposed off directing the petitioner to avail her remedy firstly before the Bihar Land Tribunal and then only move before the Hon'ble High Court if, aggrieved. Petitioner is directed to avail her remedy before the BLT by filing the application within 30 days from today and the Bihar Land Tribunal is directed to condone the delay if any in filing the BLT case.

**(Dr. Anshuman, J)**

Divyansh/-

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