

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6466 of 2025

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1. Budhdev Yadav @ Budho Yadav Son of Late Hirai Yadav Resident of village- Raghunathpur South, P.S.- Bhargama, District - Araria.
 2. Sani Yadav, Son of Late Hirai Yadav Resident of village- Raghunathpur South, P.S.- Bhargama, District - Araria.
 3. Mahender Yadav, Son of Late Hirai Yadav Resident of village- Raghunathpur South, P.S.- Bhargama, District - Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue Department Government of Bihar, Patna.
2. The Principal Secretary, Revenue Department Government of Bihar, Patna.
3. The Collector, District - Araria.
4. The Deputy Collector of Land Reforms, District - Araria.
5. The Circle Officer, Bhargama, District - Araria.
6. Laxman Tatma, Son of Late Laduri Tatma, Resident of village - Raghunathpur, P.S.-Bhargama, District - Araria.
7. Surendra Lal Mahto, Son of Late Ramjee Mahto, Resident of village - Sought Raghunathpur, Ward No.- 6, P.S.- Bhargama, District - Araria.
8. Shankar Prasad Singh, Son of Late Jagarnath Singh Resident of village - Israin Bela, P.O.- Israin, P.S.- Srinagar, District - Madhepura.
9. Shambhu Prasad Singh, Son of Late Jagarnath Singh Resident of village - Israin Bela, P.O.- Israin, P.S.- Srinagar, District - Madhepura.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate
For the Respondent/s : Mr. Gyan Prakash Ojha, GA-7

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 29-04-2025 Heard Mr. Gopal Kumar Jha, learned counsel for the petitioner and Mr. Gyan Prakash Ojha, learned GA-7 representing the State.

2. The present petition has been preferred for the grant of following relief(s):

(i) For issuance of a writ in the nature of



certiorari thereby to quash the order dated 14.11.2024 passed by the Hon'ble Bihar Land Tribunal, Patna (BLT) in BLT case No. 41 and 111 of 2019 filed by private respondent No.- 6 and 7 respectively and thereby the Hon'ble Tribunal has set aside the order dated 14.02.2013 passed by the learned Deputy Collector of Land Reforms (DCLR), Forbishganj in Bataidari Case No. 769 of 1981-82 and order dated 20.11.2018 passed by the learned Additional Collector, Araria (AC) in Bataidari Appeal No. 5 and 6 of 2013-14. Actually, the father of the petitioner was declared under raiyat of the land in question by the DCLR and confirmed by the AC which has been set aside by the Hon'ble BLT.

(ii) For issuance of a writ in the nature of mandamus thereby praying to direct the official respondents not to give effect to the order passed by the Hon'ble Tribunal till the final disposal of this petition.

(iii) Any other order or orders which this



Hon'ble Court finds fit and proper in the given facts and circumstances may kindly be passed.

3. Learned State counsel has straight away taken this Court to paragraphs 24 and 25 of the order in question which read as follows:

24. The matter is remitted back to learned D.C.L.R. Forbisganj to pass fresh order in accordance with law after taking proper step for reconciliation, as mandatorily required under Section 48E (6) of the B.T Act, after hearing both the purchasers of the land in question namely Ramji Mahto and Laxman Tatma (petitioner), who have purchased the land during pendency of proceeding under Section 48E of B.T Act from the original landlord by registered Sale Deed dated 15.05.1982 and 17.05.1982 respectively.

25. The learned D.C.L.R shall pass final order in accordance with law after hearing both parties within a period of six months from the date of receipt/production of this order.



4. At this stage, learned counsel for the petitioner prays for withdrawal of the petition to pursue the matter before the respondent State.

5. Granting said liberty, the writ petition stands disposed of.

(Rajiv Roy, J)

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