

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11246 of 2017

1. Janardan Tiwary and Ors son of Late Brinda Tiwary,
2. Prabhunath Tiwary, son of Late Brinda Tiwary,
3. Mostt. Kundala Devi, wife of Late Bhimal Tiwary,
4. Mostt. Gyanti Devi, wife of Late Surendra Tiwary,
5. Mostt. Prempati Devi, wife of Late Rameshwar Tiwary,
6. Himanshu Tiwary, son of Shivaji Tiwary,
7. Smt. Shail Devi, wife of Ram Tapasya Tiwari @ Ram Tapeswar Tiwari, All resident of Village- Samahuti, Police Station- Vijayipur, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary, Department of Revenue and Land Reforms, Old Secretariat, Patna.
3. The District Magistrate-cum-Collector, Gopalganj, District- Gopalganj.
4. The Deputy Collector Land Reforms, Hathua, District- Gopalganj.
5. The Sub-Divisional Officer-cum-Sub Divisional Public Grievance Redressal Officer, Hathua, District-
6. The Circle Officer, Vijayipur, Circle- Vijayipur, District- Gopalganj.
7. The Bihar Bhoodan Yagna Committee, Bihar, Patna through its Chairman.
8. The Chairman, Bihar Bhoodan Yagna Committee, Road No.21, Quarter No.4 and 6, Gardanibagh, P.S.- Gar
9. The Karyalaya Mantri, District Bhoodan Yagna Office, Gopalganj, P.S.- Gopalganj, District- Gopalganj
10. Sudama Ram, Son of Banwari Ram, Resident of Village- Samahuti, P.S. and Circle- Vijayipur, Sub-Division- Hathua, District- Gopalganj.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Nityanand Mishra, Adv. Mr.Abhishek Mishra, Adv. Mr.Alok Abhinav, Adv.
For the Respondent/s	:	Mr.Md. Khurshid Alam- Aag12
For Respondent No.7 to 9:	:	Mr.Rakesh Kumar Singh
For the State	:	Mr.Ebadur Rehman Shakeb, AC to AAG-12



**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

7 16-01-2025 Heard the parties.

2. The land, in question was given to the petitioners by the committee, constituted under the Bihar Bhoodan Yagna Act, 1954 (hereinafter referred to as 'Act'). Later on, it was found that the land, in question which was given to the petitioners, was a Gairmajarua Malik and as per the provisions, it was out of purview of the donation. Thereafter, by the impugned order dated 24.05.2017 passed in Bhoodan Certificate Cancellation Case No. 01/2017-18, the certificate granted to the petitioners was cancelled by the Revenue Officer/ the S.D.O.

3. Learned counsel for the petitioners submits that once the committee has issued certificate in favour of the petitioners, the Sub-Divisional Officer has no jurisdiction to cancel it.

4. On the other hand, the learned counsel for the State and the learned counsel for the Bhoodan Committee have jointly submitted that the land does not belong to the committee and therefore, the committee has no jurisdiction to settle it to the petitioners. It has also been submitted that the petitioners may take the recourse of alternative remedies, provided to an aggrieved person under Section 17 or 17A of the Act.



5. Accordingly, this writ petition is disposed of with the observation that the petitioners may take the recourse of alternate remedies, provided under the Act.

(Nawneet Kumar Pandey, J)

kundan/-

U			
---	--	--	--

