

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11082 of 2017

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Ram Jyoti Devi W/o Late Kamal Thakur, Resident of Village and P.O.-
Banaul, P.S.-Nanpur, District-Sitamarhi.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Divisional Commissioner, Tirhut Division, Muzaffarpur,
3. The Deputy Collector Land Reforms, Pupri, District-Sitamarhi,
4. The Additional Collector, Sitamarhi.
5. The Circle Officer, Bokhara, Sitamarhi,
6. Bharat Sharma, S/o Late Matuki Thakur, Resident of Village and P.O.-
Banaul, P.S.-Nanpur, District-Sitamarhi.
7. Satya Narain Gain,
8. Ganesh Prasad Gain, Both Sons of Suraj Lal Gain, Resident of Village and
P.O.-Banaul, P.S.-Nanpur, District-Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand, Adv.
For the Respondent/s : Mr. Md. Khurshid Alam- Aag12

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 01-12-2025 Heard the parties.

2. The present application has been preferred for the
following relief(s):

*(i) For quashing the order dated
28.11.2016, passed by the Hon'ble Chairman,
Bihar Land Tribunal, Patna in B.L.T. Case No.-
35/2016, whereby while allowing the said case
she has set aside the order of D.C.L.R., Pupri,
District- Sitamarhi, dated 21.10.2008 in Land
Ceiling (pre-emption) Case No. 08/2008-09, and
the order dated 03.03.2015 passed by learned
Commissioner, Tirhut Division, Muzaffarpur in
Ceiling Pre-emption Revision Case No.-
235/2009.*

(ii) For further, to quash the order



dated 06.11.2009 passed by Additional Collector, Sitamarhi, in Land Ceiling Appeal No.- 02/2008-09, by which the learned Additional Collector has set aside the order dated 21.10.2008, passed by D.C.L.R., Pupri, Sitamarhi.

(iii) For further to hold that, the land in question purchased by the petitioner for the purpose of making house, which is too small piece of land could not be used for agricultural purpose as stated in the sale deed of the petitioner; the provisions of Section 16(3) of the Ceiling Act relating to pre-emption will not be applicable.

iv) For any other relief or reliefs, for which the petitioner is found entitled in the facts and circumstances of the case.

3. It has been informed by learned counsel for the petitioner that the sole petitioner died in the year 2022 and as such, liberty be granted to the heirs to approach afresh if he/she/they so want.

4. Granting liberty to the heirs to approach afresh if he/she/they so want, the writ petition is disposed of.

(Rajiv Roy, J)

Vijay Singh/-

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