

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19672 of 2025

-
-
1. Jaganath Yadav son of Late Badri Yadav, resident of village Ramchandrapur, P.O Kehuniya, P.S. Pranpur, District Katihar.
 2. Dhaneshwar Yadav, son of Late Badri Yadav, resident of village Ramchandrapur P.O Kehuniya P.S. Pranpur District Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary Revenue and Land Reforms, Govt. of Bihar, Patna.
2. The Collector Cum-District Magistrate, Katihar.
3. The Additional Collector, Katihar.
4. The Circle Officer Pranpur, Katihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate
For the Respondent/s : Mr. Government Advocate (05)

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 05-12-2025 The instant writ petition has been filed by the

petitioners under Article 226 of the Constitution of India,

seeking the following relief(s):-

“ (i) For an issuance of writ of mandamus directing the Respondents to exempt the land in question bearing Khata No. 09 Plot No. 828 and 831 area 0.57 Acre and 0.61 Acres (total 1.18 Acres) situated at Mauza Ramchandrapur Thana No. 57 P.S +Anchal Pranpur the in District Katihar from Ceiling Proceeding/Acquisition de-notifying the same U/S 15(1) of Ceiling Act as it has not been distributed to the landless persons.

(ii) For an issuance of writ of mandamus directing the Respondents that Chakbandi Khatiyon stands recorded in the name of father of the petitioners and orders



passed by Consolidation Authority cannot be Challenged in Revenue Court.

(iii) For any other relief for which the petitioner is found to be entitled in the facts and circumstances of the case.”

2. Mr. Bhola Prasad, learned counsel appearing for the petitioners and learned Government Advocate-5 for the State-respondents are present and they are heard.

3. The main issue raised by the petitioners in this writ petition is that the the land in question which was purchased by the father of the petitioners on 17.07.1961 through registered sale deed, was not exempted from the ceiling proceedings initiated under Section 15 (1) of the Ceiling Act against the land-holders and the petitioners as well as their father were not made a party and also were not given an opportunity of hearing though the said ceiling case has been disposed of, however, the petitioners have filed a fresh petition on 24.01.2025 (Annexure-P/2) and the same has been filed under Sub-Section 4 of Section 30 of the Ceiling Act.

4. Learned Government Advocate-5 appearing for the State-respondents, submits that the petitioners are not entitled to get any relief under Sub-Section 4 of Section 30 of the Ceiling Act and their case is not maintainable under the Ceiling Act



before the Collector, Katihar.

5. After having heard both the sides, this court finds that the issue raised by the petitioners is premature for consideration, however, the Collector, Katihar, Respondent No.2, is directed to decide the petitioners' case according to merit within eight weeks from the date of receipt or production of this order's copy as per the provisions of law.

6. Accordingly, the instant writ petition stands disposed of

(Shailendra Singh, J)

maynaz/-

U			
---	--	--	--

