

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6490 of 2026

1. Dhaleshwar Sharma @ Thaleshwar Sharma, Son of Late Baudhi Sharma, Resident of Village- Dhima, Ward No.- 13, P.S.-Banmankhi, District- Purnea.
2. Gurudeo Sharma, Son of Late Bandhi Sharma, Resident of Village- Dhima, Ward No.- 13, P.S.-Banmankhi, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through the Addl. Chief Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The Collector, Purnea.
3. The Addl. Collector, Purnea.
4. The Deputy Collector, Land Reforms, Banmankhi, Purnea.
5. The Circle Officer, Banmankhi, District- Purnea.
6. Yogendra Tatma, S/o Late Birohi Tatma, Resident of Village- Dhima, Ward No.- 13, P.S.- Banmankhi, District- Purnea.
7. Manoj Sharma, S/o Late Bindeshwary Tatma, Resident of Village- Dhima, Ward No.- 13, P.S.- Banmankhi, District- Purnea.
8. Ramdeo Sharma @ Rampu Sharma, S/o Late Bindeshwary Tatma, Resident of Village- Dhima, Ward No.- 13, P.S.- Banmankhi, District- Purnea.
9. Pintu Sharma, S/o Late Bindeshwary Tatma Resident of Village- Dhima, Ward No.- 13, P.S.- Banmankhi, District- Purnea.
10. Sintu Sharma, S/o Late Bindeshwary Tatma Resident of Village- Dhima, Ward No.- 13, P.S.- Banmankhi, District- Purnea.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Bhola Prasad, Adv.
For the State	:	Mr. Gyan Prakash Jha, GA 7

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 12-05-2026 Heard learned counsel for the parties.

2. This writ application has been preferred for grant of
following reliefs:-

*(i) For quashing the order dated 27.01.2026
passed by the learned Collector, Purnea in*



Basgit Parcha Revision Case No. 128/2022 whereby the revision preferred by the petitioners has been dismissed on the ground that Basgit Parcha was issued prior to amendment in the BPPHT Act as such the learned Collector cannot pass any order.

(ii) For quashing the Basgit Parcha issued in favour of Bindeshwari Tatma and Yogendra Tatma in Basgit Parcha Case No. 5/78-79 whereby 6 decimal land of Plot No. 2198 (3 decimal) and 2199 (3 decimal) appertaining to Khata No. 725/3 situated in Mouza-Banmankhi Anchal Banmankhi District-Purnea.

(iii) For a direction to the respondents authority to protect the residential possession of the petitioner over the land of Plot No. 2198 and 2199 so that they may not be disposed at the land of private respondent.

3. It is apparent from the record that this writ application has been filed against the order dated 27.01.2026 passed by the learned Collector, Purnea in Basgit Parcha Revision Case No. 128 of 2022 (Annexure- P/6) directly before this Court without availing Section 9 of the Bihar Land Tribunal Act, 2009. The appropriate remedy would lie before the Bihar Land Tribunal, Bihar, which is now functional vide notification dated 29.04.2026.

4. Having regard to the aforesaid, learned counsel for the petitioners seeks permission to withdraw this application with liberty to move the Bihar Land Tribunal, Patna within a



period of four weeks against the impugned order dated 27.01.2026 passed by the learned Collector, Purnea in Basgit Parcha Revision Case No. 128 of 2022, and also prays for to condone the period consumed before this Court.

5. Accordingly, this writ application is dismissed as withdrawn with liberty as aforesaid.

6. It is further directed that the period consumed in present case before this Court, shall be excluded while computing the limitation.

7. Let the office return the original writ application along with its annexures to learned counsel for the petitioner after retaining xerox copy of the same within a period of two week.

8. Learned counsel for the petitioner shall produce xerox copy of the original petition along with the annexures to be retained in the record of the case.

(Khatim Reza, J)

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