

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8670 of 2026

1. Rinku Devi Wife of Sanjay Mandal, Resident of Village Naya Nagar Gangalday, P.S. Kahalgaon, District- Bhagalpur.
2. Urmila Devi, Wife of Brahmdeo Mandal, Resident of Village Naya Nagar Gangalday, P.S. Kahalgaon, District- Bhagalpur.
3. Gita Devi, Wife of Shiv Mandal, Resident of Village Naya Nagar Gangalday, P.S. Kahalgaon, District- Bhagalpur.
4. Parwati Devi, Wife of Basdeo Mandal, Resident of Village Naya Nagar Gangalday, P.S. Kahalgaon, District- Bhagalpur.
5. Meena Devi, Wife of Ramchandra Bhagat, Resident of Village Naya Nagar Gangalday, P.S. Kahalgaon, District- Bhagalpur.
6. Jaya Devi, Wife of Late Ram Prabesh Tanti, Resident of Village Naya Nagar Gangalday, P.S. Kahalgaon, District- Bhagalpur.
7. Rita Devi, Wife of Vijay Sah, Resident of Village Naya Nagar Gangalday, P.S. Kahalgaon, District- Bhagalpur.
8. Bhutki Devi, Wife of Karelal Mandal, Resident of Village Naya Nagar Gangalday, P.S. Kahalgaon, District- Bhagalpur.
9. Yashoda Devi, Wife of Sanjay Sah, Resident of Village Naya Nagar Gangalday, P.S. Kahalgaon, District- Bhagalpur.
10. Rina Devi, Wife of Jyotish Mandal, Resident of Village Naya Nagar Gangalday, P.S. Kahalgaon, District- Bhagalpur.
11. Lukho Devi, Wife of Thakur Mandal, Resident of Village Naya Nagar Gangalday, P.S. Kahalgaon, District- Bhagalpur.
12. Halko Devi, Wife of Makko Mandal, Resident of Village Naya Nagar Gangalday, P.S. Kahalgaon, District- Bhagalpur.
13. Meena Devi, Wife of Subhash Mandal, Resident of Village Naya Nagar Gangalday, P.S. Kahalgaon, District- Bhagalpur.
14. Sabita Devi, Wife of Fagu Mandal, Resident of Village Naya Nagar Gangalday, P.S. Kahalgaon, District- Bhagalpur.
15. Manti Devi, Wife of Manoj Mandal, Resident of Village Naya Nagar Gangalday, P.S. Kahalgaon, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary-cum-Commissioner, Department of Revenue, Government of Bihar, Patna.
2. The Secretary-cum-Commissioner, Department of Revenue, Government of Bihar, Patna.
3. The Collector-cum-District Magistrate, Bhagalpur.
4. The Circle Officer, Kahalgaon, Bhagalpur.
5. Kanhaiya Lal Santhalia, Son of Late Mahadeo Lal Santhalia, Resident of Mohalla Chaudhary Tola, P.S Kahalgaon, District- Bhagalpur.



6. Saurav Santhalia, Son of Sita Ram Santhalia, Resident of Mohalla Chaudhary Tola, P.S Kahalgaon, District- Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Ms. Pravina Kumari, Adv.
For the Respondent/s : Mr. Government Pleader (18)

CORAM: HONOURABLE MR. JUSTICE RANA VIKRAM SINGH
ORAL ORDER

2 29-06-2026 Heard learned counsel for the parties.

2. At the very outset, learned counsel for the petitioner prays that since there is a provision for filing an appeal before the Bihar Land Tribunal, Patna against the order impugned, this case may be transferred to Bihar Land Tribunal for proper consideration and disposal. In this regard it is apposite to quote Section 15 of the Bihar Land Tribunal Act, 2009 which reads as under:-

“Section 15 - Transfer of proceedings pending in Patna High Court/State Government to the Tribunal - All cases connected with the Acts/Manuals dealt with under Section- 9 of this Act and pending in the High Court of Judicature at Patna but excluding writ petitions filed under Articles 226 and 227 of the Constitution of India and cases pending with the State Government, immediately before the commencement of this Act, as could have been within the jurisdiction of such Tribunal, and cases arising after the commencement of this Act, as would have been within the jurisdiction of such Tribunal, shall stand transferred to the Tribunal with effect from the said date of



commencement :

Provided further that it shall be open to the High Court of Judicature at Patna to remit the dispute pending adjudication in any writ proceeding bonafide before it for adjudication by the Tribunal.”

3. The aforesaid section makes it amply clear that all cases would stand transferred to the Bihar Land Tribunal except pending either before the High Court or other authority except those that of writ applications filed under Article 226 and 227 of the Constitution of India. Thus, in this view the prayer for transferring the instant writ application to the Bihar Land Tribunal appears to be fallacious and misconceived.

4. In this view, the petitioner seeks permission to withdraw the present writ petition with a liberty to approach the learned Bihar Land Tribunal, Patna for grant of appropriate relief(s) with respect to the land under dispute, as also with respect to the order impugned in the present proceeding.

5. Permission is accorded.

6. The writ petition stands disposed of as withdrawn with the liberty aforesaid.

7. The parties shall be at liberty to raise all the issues of facts and law before the learned Bihar Land Tribunal, Patna, which may be available to them.

8. If an appropriate petition is filed on behalf of the



petitioner before the learned Bihar Land Tribunal, Patna within a period of one month from today with a certified copy of the present order, and if it is found to have become barred by limitation and if any petition is filed on behalf of the petitioner for condonation of such delay, then the learned Bihar Land Tribunal, Patna shall take into consideration that on a *bonafide* legal advice, the present writ petition was filed before this Court on 13.05.2026 and that remained pending till date.

(Rana Vikram Singh, J)

Supratim/
Saurabh-

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