

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9852 of 2026

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Nand Kumar Prasad @ Nand Kumar Sah, Son of Late Mahanth Sah, Resident
of village- Narkatiya, P.S.- Darpa, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Revenue and Land Reforms
Department, Govt. of Bihar, Patna.
2. The Commissioner, Tirhut Division, Muzaffarpur.
3. The District Magistrate-cum-Collector, East Champaran at Motihari.
4. The Additional Collector, East Champaran at Motihari.
5. The Sub-divisional Officer, Raxaul, East Champaran.
6. The Deputy Land Reform Officer, Raxaul, East Champaran.
7. The Circle Officer, Chhauradano, East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prateek Tandon, Adv.
For the State : Mr. Bipin Kumar, A.C. to S.C.-3

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CORAM: HONOURABLE MR. JUSTICE RANA VIKRAM SINGH
ORAL JUDGMENT

Date : 07-07-2026

Heard the learned counsel for the parties.

2. At the very outset, learned counsel for the
petitioner, without going into the merits of the case and
without even assailing any part of the order dated 11.05.2026,
passed by the Collector-Cum-District Magistrate, East
Champaran at Motihari (respondent No. 3) in Bandobasti



Cancellation Appeal No. 83/2024-25, prays for withdrawal of the present writ application, in view of the efficacious alternative remedy as provided under Section 9 of the Bihar Land Tribunal Act, 2009 (*in short the Act of 2009*) where the petitioner could prefer an appeal against the said order.

3. Learned counsel for the State also supports such contention made on behalf of the petitioner and submits that the petitioner should have approached the Bihar Land Tribunal, Patna (*in short the B.L.T., Patna*) earlier, instead of coming to this Court under writ jurisdiction.

4. In view of the above, this writ application is disposed off with a liberty to the petitioner to approach the appropriate forum, *i.e.*, B.L.T., Patna in terms of the statutory provisions as contained in Section 9 of the Act of 2009 and if such an appeal/application is filed within a period of three weeks henceforth, the same shall be accepted, condoning the period of limitation, if any, as the petitioner has already approached this Court under writ jurisdiction and has pursued his remedy before this Court.

5. The petitioner is also granted a liberty to file an interlocutory application seeking an interim relief of staying the operation of the order dated 11.05.2026, referred to above,



which shall be heard and disposed off by the B.L.T., Patna in accordance with law, but till the disposal of the interlocutory application, so filed on behalf of the petitioner praying for an interim relief, no coercive action shall be taken against the petitioner and he should not be dispossessed from his dwelling house.

6. This order is being passed in the presence of the learned counsel appearing on behalf of the State, Mr. Bipin Kumar, learned A.C. to S.C.-3. Mr. Kumar gives an assurance to this Court that till disposal of the interlocutory application, so filed by the petitioner before the B.L.T., Patna, no coercive action shall be taken against him.

7. With the aforesaid liberty, the writ application stands disposed off.

8. Interlocutory application(s), if any, also stands disposed off accordingly.

(Rana Vikram Singh, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	07.07.2026
Transmission Date	N/A

