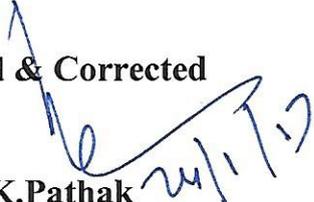


आदेश की क्रम सं० और तारीख 1	आदेश और पदाधिकारी का ¹ हस्ताक्षर 2	आदेश पर की गई कार्रवाई के बारे में टिप्पणी तारीख सहित 3
24.01.2017	<p style="text-align: center;"><u>BOARD OF REVENUE, BIHAR, PATNA.</u></p> <p style="text-align: center;">Revision (Land Ceiling Surplus) Case No. – 52, 53 and 54/2014 Dist. – West Champaran</p> <p>PRESENT : - K.K. Pathak, I.A.S., Additional Member</p> <p>=====</p> <p>Upendra Sah and Others - Petitioner/ Appellant Versus The State of Bihar & Others - Opposite party =====</p> <p><u>Appearance:</u> For the Appellant/Revisionist : Shri Kumar Uday Singh For the OP : For the State : Sri Nirmal Kumar, Special G.P.</p> <p style="text-align: center;"><u>ORDER</u></p> <p>This case came up for hearing today and the Learned Advocate of the Petitioner mentioned that this proceeding stands abated subsequent to the amendment carried out by the State Government on 02.09.2016.</p> <p>The said Amendment reads as under:-</p> <p>“Repeal of Section 45B of the Act, 1961 – Section 45 B of the said Act, 1961 is hereby repealed.</p> <p>Additional of a new Section-45D after Section-45C of the Act, 1961 – After Section 45C, a new Section-45D shall be added.-</p> <p>45D – After repeal of Section 45 B of this Act, proceedings pending before the State Government or the Bihar Land Tribunal shall be deemed to be abated and the</p>	

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	<p>proceeding reopened earlier under deleted Section 45B and pending before the Collector shall also stand abated.”</p> <p>I have gone through the record. An application was filed by the Petitioner under Section 45B (now repealed) of the Bihar Land Ceiling Act, 1961 before the Learned Collector West Champaran. The Learned Collector West Champaran, vide a speaking order, rejected the Petition of the Petitioner vide order dated 04.09.1992.</p> <p>The Case of the Petitioner was that their lands have been wrongly included in the ceiling proceeding concerning the original landlord. The Petitioner had purchased their lands from the descendants of the said landlord and therefore their lands should not been included the ceiling proceeding. It appears that the original land has already been declared surplus in Ceiling Case No., 219/75-76 and 49/1981-82 against Sri Anirudh Sah.</p> <p>It also appeared that the said land has already been distributed to various landless persons.</p> <p>Aggrieved by the order of the Learned Collector, the Petitioner had approached the Court of the Divisional Commissioner. However, the Learned Divisional Commissioner too, vide order dated 29.09.2014, rejected the appeal. Against the said order, the Revisionist has preferred this Revision.</p> <p>However, now the Learned Advocate of the Petitioner says that since the proceeding was initiated</p>	

आदेश की क्रम सं० और तारीख 1	<p style="text-align: center;">3 आदेश और पदाधिकारी का हस्ताक्षर</p> <p style="text-align: center;">2</p>	आदेश पर की गई कार्रवाई के बारे में टिप्पणी तारीख सहित 3
	<p>originally under Section 45B of the Act, the same now been deleted, the proceeding stands abated.</p> <p>That be the case, I find that in view of the amendment carried out by the State Government, all the three analogous proceedings namely Revision Case No. 52, 53 and 54 stands abated.</p> <p>Let a copy of this order be sent to the Learned Collector West Champaran to proceed further in the matter.</p> <p style="text-align: center;">  Dictated & Corrected K.K.Pathak Additional Member Board of Revenue, Bihar. </p> <p style="text-align: center;">  (K.K.Pathak) Additional Member Board of Revenue, Bihar. </p>	