



**उपायुक्त-सह-जिला दण्डाधिकारी का न्यायालय, गिरिडीह।**

(Email id- dccourt.grd@gmail.com)

**Land Ceiling Appeal No. 02/2019**

**Damyanti Devi and Others vs Prakash Pandit and Others**

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**ORDER**

10.02.25

The case pertains to appeal against order passed by Land Reforms Deputy Collector, Khorimahua, under Section 16(3)(i) of The Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land), 1961, Bihar Act XII of 1962, regarding Pre-emption Rights in the L.C Case No. 3/2018-19 Order dated 30-05-2019. The case involves Damyanti Devi and Others vs Prakash Pandit and Others related to a piece of land in Mauza- Gawan, Mauza No.369, Khata No.46, Plot No.158, Area 6 decimals out of 18 decimals as per registered deed no.1485, dated 25.09.2018.

As per the provisions "When any transfer of land is made after the commencement of the Act to any person other than a co-sharer or a raiyat of adjoining land, any co-sharer of the transferor or any raiyat holding land adjoining the land transferred, shall be entitled, within three months of the date of registration of the document, of transfer, to make an application before the Collector in the prescribed manner for the transfer of the land to him on the terms and conditions contained in the said deed and other related conditions as per the Act."

Land Reforms Deputy Collector, Khorimahua has mentioned in his order that Applicants have claimed that they were Adjacent Raiyat (neighboring landowner) and Co-sharer of the aforesaid land. And that the said piece of land should be transferred to them as per law, due to sale of the said land have been made to purchaser who were neither an adjacent raiyat nor a co-sharer. It is further mentioned that the Opposite Parties have claimed that the said land is outside the purview of the provisions of the Act and that the Applicants Prakash Pandit and Others are not concerned with the said piece of land.

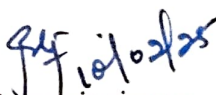
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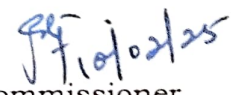
On account of the above and on the basis of report of Circle Officer Gawan, Applicants' petition was accepted by Land Reforms Deputy Collector, Khorimahua and Opposite Parties were directed for necessary action as per provisions of law.

Heard the Ld. GP on various points of submission made by both the parties and on other points available in the case record. On account of the aforementioned and matters mentioned in the LCR of Land Reforms Deputy Collector, Khorimahua, points and arguments submitted/ given by Ld. Advocates of both parties, opinion of Ld. G.P. and upon perusal/ examination of the various documents available on record, this Court comes to the conclusion that there is no need of any interference or revision in the order of Land Reforms Deputy Collector, Khorimahua. Thus the present appeal is rejected and this case stands disposed of.

Let a copy of this order be provided to both parties and all concerned. Due to busy schedule in law and order and other administrative work this order is passed today.


Dictated and Corrected by me.

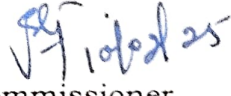
  
Deputy Commissioner  
cum  
District Magistrate,  
Giridih

  
Deputy Commissioner  
cum  
District Magistrate,  
Giridih

Memo No. 248, Date 10/02/25

Copy to: Land Reforms Deputy Collector, Khorimahua and Circle Officer, Gawan and for information and necessary action.

  
Deputy Commissioner  
cum  
District Magistrate,  
Giridih

  
Deputy Commissioner  
cum  
District Magistrate,  
Giridih