

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4831 of 2015

With
Interlocutory Application No.5353 of 2015

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Sanjeev Kumar Yadav, son of Late Ghushaharu Yadav, resident of Village-
Jokahi, P.O.-Karmegh, Laukaha, District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar
2. The Divisional Commissioner, Darbhanga.
3. The Secretary to the Commissioner, Darbhanga Division, Darbhanga.
4. The District Magistrate, Madhubani.
5. The Sub-Divisional Officer, Phulpras, District- Madhubani.
6. The Deputy Collector, Land Reforms , Phulpras, District- Madhubani.
7. The Circle Officer, Khutauna, District- Madhubani.
8. Ganga Nath Prasad Yadav, son of Raj Kumar Yadav.
9. Ravindra Yadav, son of Late Bilat Yadav.
10. Raj Kumar Yadav, son of Late Deo Narain yadav. null
11. Ram Babu Yadav, son of Makun yadav.
12. Dilip Kumar Yadav
13. Shiv Kumar Yadav

Both sons of Late Ghushaharu Yadav and residents of Village- Jokahi, P.O.-
Karanagh, P.S.- Laukaha, District- Madhubani.

.... Respondent/s

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Appearance :

For the Petitioner/s : Ms. Pooja Shree
For the Respondent nos.1to7 : Mr. Arvind Kumar, SC-13
For the Respondent nos.8to11 : Mr.Sanjay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 21-09-2015

Heard the parties.

The petitioner is aggrieved by the order/communication dated 18.03.2015 (Annexure-9), whereby a request has been made to the respondent District Magistrate, Madhubani to comply with the orders/directions issued in Land Dispute Appeal Case No.433 of 2014 (Ganganath Prasad & Ors. Vs. Sanjeev Kumar Yadav) by the respondent Divisional Commissioner, Darbhanga.

In the whole writ petition, the orders passed in

aforesaid Land Dispute Appeal Case No.433 of 2014 have not been brought on record. From reading of the impugned communication, it appears that certain interim order was passed in the aforesaid Land Dispute Appeal Case No.433 of 2014 by the appellate authority and therefore, the impugned communication was made on 18.03.2015 to the respondent District Collector, Madhubani.

In absence of relevant materials, particularly the orders passed in Land Dispute Appeal Case No.433 of 2014, the claims raised on behalf of the petitioner with respect to the lands in question cannot be gone into in the present proceeding filed under Article 226 of the Constitution of India. If the petitioner is, at all, aggrieved by the impugned communication, then he should approach the respondent Commissioner himself in the aforesaid pending Land Dispute Appeal Case No.433 of 2014 for grant of appropriate relief; or/and, alternatively, if the final order has been passed in the aforesaid Land Dispute Appeal Case No.433 of 2014 or is likely to be passed, then he has further remedy before the learned Bihar Land Tribunal, Patna in view of the provisions contained in Section 9 of the Bihar Land Tribunal Act, 2009.

The writ petition, at this stage, seems to be completely misconceived and is, accordingly, dismissed, but with the observations made above. I.A.No.5353 of 2015 stands accordingly disposed of.

(Birendra Prasad Verma, J)

Arvind/-

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