

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21230 of 2013

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Kashi Singh Son of Late Muneshwar Bhagat, Resident of Village -
Koyladewa, Tola - Semarbari, P.S. Phulwaria, District - Gopalganj
..... Petitioner/s

Versus

1. The State of Bihar through Collector, Gopalganj, District - Gopalganj
 2. Bihar Bhoodan Yagna, Committee, Road No. 34 Gardanibagh, Patna,
P.S. Gardanibagh, District - Patna through its Chairman
 3. Chairman, Bihar Bhoodan Yagna, Committee, Road No. 34
Gardanibagh, Patna, P.S. Gardanibagh, District - Patna
 4. Officer - Secretary, District - Bhoodan Yagna Committee, Arar More,
Gopalganj, P.S. And District - Gopalganj
 5. Ram Sevak Singh Son of Late Sukhari Singh Resident Of Village -
Koyaldewa, Tola - Semarbari, P.S. Phulwaria, District - Gopalganj
..... Respondent/s
- =====

Appearance :

For the Petitioner/s : Mr. Suresh Prasad Bhakta
Mr. Sanjay Kumar Pandey No.5
For the Respondent No.5 : Mr. Dhananjay Kumar
Mr. Sunil Prasad

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 17-12-2015 Heard the parties.

With respect to the issues raised on behalf of the petitioner in the present proceeding filed under Article 226 of the Constitution of India, which have been enumerated in paragraph-1 of the writ petition, the petitioner has an alternative and efficacious remedy before the statutory authority/ forum prescribed under Section 17A of The Bihar Bhoodan Yagna Act, 1954 (In short 'Act, 1954'). Furthermore, the claims raised on behalf of the petitioner in the present proceeding have been controverted by the respondent no. 5 by filing a counter-affidavit.

It is well settled that the issues of facts must be raised and conclusively decided by the statutory authorities and only thereafter powers of judicial review of the High Court under Article 226 of the Constitution of India may be invoked.

In above view of the matter, the writ petition is dismissed, but a liberty is granted to the petitioner to approach the prescribed authority provided under Section 17A of the Act, 1954 for redressal of his valid grievances with respect to the lands claimed by him.

(Birendra Prasad Verma, J)

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