

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21249 of 2014

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1. Somari Devi Wife of Narsingh Sahni
2. Ashok Sahni, son of late Birjhan Sahni
3. Ghur Sahni, son of late Dublu Sahni
4. Kalawati Devi, wife of Bhutan Sahni
5. Bhag Mati Devi, wife of Bishwanath Sahni
All are resident of village Singari, P.O.- Tarwalia, P.S.- Semra, Anchal-Bagha I, District West Champaran
Names of petitioner nos.2 to 5 have been expunged vide order dated 12.12.2014.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Collector, West Champaran, Bettiah
3. The Deputy Collector Land Reforms Bagha, West Champaran
4. The Anchal Adhikari Bagha I, West Champaran
5. The Superintendent of Police, Bagha
6. Officer-in-Charge Bagha Police Station, Bagha, West Champaran
7. Nagina Yadav son of Late Kishun Yadav
8. Ravi Shankar Yadav son of Late Ramnath Yadav
Both are resident of Village- Singari, P.S.- Semra, P.O. Tarwalia, District-West Champaran
9. Srinivash Dwivedi, Son of Late Kedar Nath Dwivedi, Resident of village Pathkauli Malkauli, P.S. Bagha, P.O. Malkauli, District West Champaran
10. Lalsa Devi Wife of Prabhu Yadav
11. Rambha Devi Wife of Guddu Sah
Respondent Nos. 10 to 11 are resident of village Bhera Chaur, P.S. Laukariya Bagha District West Champaran
12. Mosmat Gulsan Devi, Wife of Late Daya Shankar Lal
13. Rama Shankar Lal Srivastva, Son of Late Deep Narayan Lal
14. Hari Shankar Lal, Son of Late Deep Narayan Lal
Respondent Nos. 12 to 14 are resident of Aluminium Factory Padma Par, Gorakhpur, P.O.+P.S.- and District- Gorakhpur, Uttar Pradesh

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kumar Tiwary
Mr. Ashok Kumar Sinha No.2
For the Respondent nos.1to6 : Mr. Vivek Prasad, GP-18
Mr. S.K. Saraf, AC to GP-18

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 17-09-2015 Heard the parties.

Admittedly, the Land Dispute Case No.167 of 2014-15 filed on behalf of the petitioners under the provisions of The

Bihar Land Disputes Resolution Act, 2009 (in short ‘Act, 2009’) is still pending before the respondent D.C.L.R., Bagaha, West Champaran. By the impugned order dated 06.08.2014 (Annexure-9), the respondent D.C.L.R., Bagaha, West Champaran has directed the parties to maintain status quo over the lands under dispute and officer in-charge of local police station was accordingly directed to ensure maintenance of status quo over the lands under dispute, so that there is no breach of peace.

If the impugned notice dated 11.10.2014 (Annexure-10) issued by the officer in-charge of Semra police station is contrary to the order/direction issued by the respondent D.C.L.R., or the officer in-charge has exceeded his powers, then the petitioners would be well advised to agitate their grievances before the respondent D.C.L.R. itself, who is the “competent authority” under the meaning of the Act, 2009.

It is expected that, if such a grievance is raised on behalf of the petitioners, then the same shall be appropriately considered and decided by the respondent D.C.L.R.

With the aforesaid observations and directions, the writ petition stands finally disposed of.

(Birendra Prasad Verma, J)

Arvind/-

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