

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15046 of 2010

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Ram Sobhit Pandey, S/O Late Jamun Pandey, R/O Vill.- Bejha, P.S.-
Rajapakar (Baranti O.P.), Distt.- Vaishali

.... Petitioner/s

Versus

1. The State of Bihar through the Collector, Vaishali
2. The District Magistrate, Vaishali At Hajipur
3. The Deputy Development Commissioner, Vaishali At Hajipur
4. The Subdivisional Magistrate, Vaishali At Hajipur
5. The Block Development Officer, Rajapakar Block, Distt.- Vaishali

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ratan Kumar Sinha

For the Respondent/s : Mr. Anil Kumar, AC to SC-10

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

7 06-04-2015

Heard the parties.

The matter at issue is the claim of the petitioner of his right, title and possession over a plot of land bearing khata no.28, plot no.221, area 22 decimal situate at village-Bejha in the district of Vaishali at Hajipur.

In the counter affidavit filed on behalf of the respondents, the right, title and possession of the petitioner over the lands under dispute has been disputed.

In above view of the matter, the issue raised herein with respect to lands under dispute cannot be effectively gone into in the present proceeding filed under Article 226 of the Constitution of India. Accordingly, the writ petition stands dismissed.

However, the petitioner shall be at liberty to approach the Civil Court of competent jurisdiction for grant of appropriate relief(s). If such a Civil Suit is filed, after impleading all the necessary parties, the same shall be considered and decided

strictly in accordance with law on the basis of evidence/materials produced by the parties, but without being prejudiced by the rejection of the present writ petition.

It goes without saying that, in the aforesaid Civil Suit, the petitioner shall be at liberty to raise all the issues of facts and law, which are available to him.

The interim order dated 09.11.2010 passed by a Bench of this Court stands vacated.

(Birendra Prasad Verma, J)

Arvind/-

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