

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5269 of 2013**

=====

Sri Swami Jyoti Narayanacharya, Sisy of Srimat Viswakssenacharya  
(Tridandi Swamijee Maharaj) Radha Krishan Dham, Zero Mile, Ara, P.S. -  
Udwant Nagar, Dist - Bhojpur (Ara)

.... .... Petitioner/s

Versus

1. The State of Bihar  
2. The Collector-cum-District Magistrate, Bhojpur, Ara  
3. Deputy Collector Land Reforms, Bhojpur, Ara  
4. Circle Officer, Udwant Nagar, Dist. - Bhojpur, Ara  
5. Officer In Charge, Udwant Nagar, Police Station , Dist. - Bhojpur, Ara  
6. Meera Devi wife of Rajesh Kumar Singh R/O Vill + P.O. - Sahangi, P.S.  
- Garhani, Dist. - Bhojpur, Ara. at present - Mauza Beli, P.S - Udwant  
Nagar, Dist. - Bhojpur, Ara

.... .... Respondent/s

=====

**Appearance :**

For the Petitioner/s : Mr. T.N.Matin, Sr.Advocate

For the respondent Nos. 1 to 5 : Mr. AC to SC 22

For the Respondent No. 6 : Mr. Madheshwar Singh, Advocate

=====

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA**  
**ORAL ORDER**

4      04-11-2015

Heard the parties.

The petitioner is aggrieved by the order dated 10.11.2012 passed in Land Dispute Resolution Case No. 87 of 2011-12 by the respondent DCLR, Sadar, Ara, as contained in Annexure-7, whereby the petition filed on behalf of the respondent no.6 under Section 4 of The Bihar Land Disputes Resolution Act, 2009 (in short, "the Act, 2009") has been allowed with certain directions made therein.

In the considered opinion of this Court, against the order impugned, the petitioner has an alternative and efficacious remedy before the appellate forum as prescribed in Section 14 of the Act, 2009.

It is well settled that issues of facts must be raised by the parties and conclusively decided by the statutory authority at

the first instance, and only thereafter, the power of judicial review under Article 226 of the Constitution of India of the High Court may be invoked.

In above view of the matter, the present writ petition is dismissed with a liberty to the petitioner to approach the appellate authority for grant of appropriate relief (s) with respect to the lands in question as also with respect to the order impugned.

The parties shall be at liberty to raise all the issues of facts and law, which may be available to them before the appellate authority.

**(Birendra Prasad Verma, J)**

Tahir/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|