

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19424 of 2013

With
Interlocutory Application No.9219 of 2013

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Mohammad Mansur Alam, S/O Late Mohammad Nasiruddin, Resident Of
Village- Hamidpur Kurji, Nearby Sadaquat Ashram, P.S- Digha, District-
Patna.

.... Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Revenue and Land
Reforms Department, Government Of Bihar, Patna.
 2. The Collector, Patna.
 3. The D.C.L.R., Patna Sadar, Patna.
 4. The Bihar Vidyapeeth, through the Secretary, Sadaquat Ashram, Patna.
 5. Mohammad Mustaq, S/O Late Mohammad Umar.
 6. Mohammad Murtaza, S/O Late Mohammad Umar.
 7. Mohammad Mahfuz Alam, S/O Late Mohammad Nasiruddin.
 8. Mohammad Syed Alam, S/O Mohammad Nasiruddin
- All Resident of Village- Hamidpur Kurji, Nearby Sadaquat Ashram, P.S-
Digha, District- Patna.
9. Messers Parasnath Engicon Pvt. Ltd., through its Director Deepak Ashok,
S/O Shree Ashok Kumar Jain at S.P. Verma Road, P.S- Kotwali, District-
Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent nos.1to3 : Mr. Lala S.N.Rais, AC to GP-6

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 11-12-2015 Initially the present writ petition was filed on behalf
of the petitioner questioning the validity of Land Dispute Case
No.136 of 2012-13 initiated by the respondent D.C.L.R., Patna
Sadar under the provisions of The Bihar Land Disputes Resolution
Act, 2009 (in short 'Act, 2009'). Subsequently, I.A.No.9219 of
2013 was filed on behalf of the petitioner seeking amendment in
the writ petition and permitting him to challenge the validity and
correctness of the final order dated 22.10.2013 passed in the
aforesaid Land Dispute Case No.136 of 2012-13 by the respondent

D.C.L.R., Patna Sadar.

When the matter has been taken up today for consideration on merits, none appears on behalf of the petitioner.

However, the learned AC to GP-6 appearing on behalf of the respondent nos.1 to 3 has filed a counter affidavit stating therein that the aforesaid Land Dispute Case No.136 of 2012-13 has already been disposed of by the respondent D.C.L.R., Patna Sadar. The learned State counsel submits that the present writ petition is pre-mature as the impugned order is appealable before the Divisional Commissioner in view of the provisions contained in Section 14 of the Act, 2009. Therefore, the present writ petition is liable to be dismissed.

The submissions made by the learned State counsel appear to be correct.

In above view of the matter, the present writ petition stands dismissed. I.A.No.9219 of 2013 stands accordingly disposed of.

However, a liberty is granted to the petitioner to approach the appellate authority under the provisions of the Act, 2009 for grant of appropriate relief(s) with respect to the lands in question as also the final order passed by the respondent D.C.L.R., Patna Sadar.

(Birendra Prasad Verma, J)

Arvind/-

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