

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13660 of 2013

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Kadirul Hasan Khan, Son Of Late Safirul Hasan Khan, Resident Of Village-
Tariyanti, P.S. and Anchal- Manigachhi, District- Darbhanga

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Collector, Darbhanga
3. The Deputy Collector, Land Reforms, Biraul, Darbhanga
4. The Anchal Adhikari, Kusheshwar Asthan (West), Darbhanga
5. Bisheshwar Sah, Son of Chandra Shekhar Sah
6. Lalit Narayan Sah, Son of Chandra Shekhar Sah
7. Sukhdeo Sah, Son of Laxmi Sah
8. Radheshyam Sah, Son of Late Ganga Sah
9. Kailash Sah, Son of Shiv Kumar Sah
10. Umesh Sah, Son Of Suresh Sah
11. Ramavtar Sah, Son Of Late Ganga Sah
All are Resident Of Village- Asma, Tola- Sakrina, P.S. and Anchal
Kusheshwar Asthan, District- Darbhanga

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.Md.Waliur Rahman, Adv.
Mr. Sunil Kumar Singh, Adv.
For the Respondent nos.1to4 : Mr. Manoj Kumar Sinha, AC to SC-30

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 15-12-2015 The learned counsel appearing on behalf of the petitioner has very fairly submitted that the issues raised on behalf of the parties in the present proceeding filed under Article 226 of the Constitution of India are based on disputes questions of facts, which cannot be effectively gone into in the present proceeding, but can be effectively and conclusively decided by a Civil Court of competent jurisdiction on the basis of the evidence/materials produced by the parties.

The learned AC to SC-30 appearing on behalf of the official respondents does not dispute the aforesaid submissions.

In above view of the matter, the present writ petition

is disposed of with a liberty to the petitioner to approach the Civil Court of competent jurisdiction for grant of appropriate relief(s) with respect to the lands under dispute.

If such a civil suit is filed on behalf of the petitioner within a period of three months from today with a certified copy of the present order, then the same shall be decided strictly in accordance with law on the basis of the evidence/materials produced by the parties, but without being prejudiced/influenced by any findings recorded in the impugned orders by the authorities concerned, which are subject matter of challenge in the present proceeding.

(Birendra Prasad Verma, J)

Arvind/-

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