

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13490 of 2015

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Surendra Kumar, Son of Rang Bahadur Singh, Resident of Flat No. 405,
Bind Ambika Apartment, Manas Marg, Road No. 2, Shivpuri, P.S.
Shastrinagar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, Patna.
3. The Deputy Collector Land Reform, Patna Sadar.
4. The Sub-Divisional Officer, Patna Sadar.
5. The Circle Officer, Patna Sadar.
6. The Commissioner, Patna Municipal Corporation, Patna.
7. The Executive Officer, Patna Municipal Corporation, Patna.
8. The Chief Engineer, Patna Municipal Corporation, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.Yogesh Chandra Verma, Sr.Adv.
Mr. Krishna Deo Raj, Adv.
For the Respondent/s : Mr. Ashok Priyadarshi, GA-4

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 04-12-2015 Heard the parties.

The grievance of the petitioner is that, though the order dated 20.07.2015 has been passed by the respondent DCLR, Patna Sadar in Land Dispute Resolution Case No.219 of 2014-15 (Annexure-16) under the provisions of The Bihar Land Dispute Resolution Act, 2009 (in short ‘Act, 2009’), but the said order is not being implemented and unnecessary obstruction is being put up by the local police.

In the considered opinion of this Court, once the order is passed by “the competent authority” under the provisions of the Act, 2009 and no appeal is filed against that order, then the person, in whose favour such order has been passed, is required to approach “the competent authority” under Section 15 of the Act,

2009 for its execution, whereafter “the competent authority” is obliged to execute his own order.

Indisputably, the petitioner has an alternative statutory remedy before “the competent authority” in terms of Section 15 of the Act, 2009. Therefore, he should approach “the competent authority” by filing an appropriate petition for redressal of his valid grievances.

It goes without saying that, if such a petition is filed, then the same shall be considered and decided strictly in accordance with law after giving an opportunity of hearing to all concerned.

The writ petition stands disposed of with the observations and directions made above.

(Birendra Prasad Verma, J)

Arvind/-

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