

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15607 of 2015

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Siya Ram Rai son of Late Faudar Rai, resident of village - Asanpur Kupaha,
P.S. Kishanpur, District - Supaul

.... Petitioner/s

Versus

1. The State of Bihar through Secretary, Revenue and Land Reforms
Department, Bihar, Patna
2. The Registrar, Bihar Land Tribunal, Patna
3. The Collector - Cum - District Settlement officer, Supaul
4. The Revenue officer, Supaul
5. The Circle officer, Kisanpur, Distt. - Supaul

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shiv Sager Sharma, Advocate

For the Respondent/s : Mr. Aditya Nath Jha, AC to SC 18

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 04-10-2016

Heard the parties.

The petitioner is aggrieved by the order dated 8th September, 2014 passed in B.L.T.Case No. 449 of 2013 along with connected B.L.T.Case No. 446 of 2013 and other connected cases by the learned Bihar Land Tribunal, Patna, as contained in Annexure-4 to the writ petition, whereby aforesaid B.L.T.Case No.449 of 2013, besides other cases, filed on behalf of the petitioner has been dismissed, but liberty has been granted to the petitioner to file a suit for correction of revenue records of right regarding the lands in question claimed by him.

From the facts pleaded in the writ petition it is apparent that the claim raised on behalf of the petitioner with respect to the lands in question is based on certain disputed question of facts, and unless and until oral as also documentary evidences are recorded by the civil court of competent jurisdiction, those disputed question of facts cannot be effectively decided in the present proceeding filed under Article 226 of the Constitution

of India.

In above view of the matter, the petitioner is granted liberty to approach the civil court of competent jurisdiction for grant of appropriate relief(s) with respect to the lands in question claimed by him.

If an appropriate civil suit is filed on behalf of the petitioner, after impleading all the necessary parties including the respondents herein, besides other private individual, if any, within a period of three months from today, then the same shall be considered and decided on its own merits strictly in accordance with law on the basis of the evidences/materials produced by the parties.

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

(Birendra Prasad Verma, J)

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