

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4152 of 2014

Ram Vinay Paswan Son of Late Shyamdeo Paswan Resident of Village - Sipara,
P.S. - Hilsa, District - Nalanda

.... Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Secretary Minor Irrigation, Government of Bihar, Patna
3. The Chief Engineer, Minor Irrigation, Bihar, Patna
4. The District Magistrate, Nalanda at Biharsharif
5. The Superintending Engineer, Minor Irrigation Circle, Patna
6. The Executive Engineer, Minor Irrigation Division Nalanda at Biharsharif
7. The Deputy Collector Land Revenue Hilsa, Nalanda
8. The Circle Officer, Hilsa, District - Nalanda

.... Respondent/s

Appearance:

For the Petitioner/s : Mr. BHOLA KUMAR

For the Respondent/s : Mr. RAM BALAK MAHTO

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL JUDGMENT

Date: 28-09-2016

A dispute with regard to the nature of the land and title thereover is being raised in the present writ application. The petitioner, being the heir/descendant of the recorded tenant, claims the title over the subject land detailed in paragraph 4 of the writ application.

The State respondent(s) relying on the same Kahtiyani, have contended that it was recorded as Soti and a *payn* existed thereover since long time. Recently, the renovation work was carried out thereover for the benefit of the villagers at large. The subject land is not the land of the petitioner.

The writ application is filed for a direction upon the respondents to pay him compensation for damage for excavating soil from the land of the petitioner. The respondent have filed counter affidavit disputing the said contention.

The counsel for the petitioner submits that the grievance shall be

ventilated before the respondent District Collector.

The writ application is disposed of permitting the petitioner to ventilate his grievance before the respondent District Collector.

This court would, however, clarify that no opinion has been recorded on the merit of the claim of the petitioner.

(Kishore Kumar Mandal, J)

HR/-

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Transmission Date	