

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17789 of 2014

=====

Prabhu Yadav Son of Late Jagdish Yadav, resident of Village - Bari Baliya,
P.S. - Baliya, District - Begusarai, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Patna, Bihar.
2. The Principal Secretary, Land Reforms, Govt. of Bihar, Patna.
3. The District Magistrate, Begusarai.
4. The Sub-Divisional Officer, Begusarai.
5. The Circle Officer, Anchal, Begusarai, District - Begusarai.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr. Anil Kumar Singh, G.P. 26

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 06-09-2016

The present writ petition has been filed on behalf of the petitioner for a direction to the respondent authorities for issuance of rent receipts in his name with respect to the lands in question mentioned in paragraph-1 of the writ petition.

The learned G.P. 26, appearing on behalf of the respondents, at the very threshold, has raised the question of maintainability of the present writ petition at this stage. According to him, the petitioner has claimed to have acquired his right, title and possession over the lands in question on the basis of some *Hukumnama*, but the genuineness of aforesaid *Hukumnama* has not been tested by any competent authority. According to him, for redressal of his valid grievances, the petitioner ought to have approached the prescribed authority under a specified statute, but without doing that he has straightaway filed the present writ petition under Article 226 of the Constitution of India. Therefore, according to him, the writ petition is fit to be dismissed.

The submissions made by the learned G.P. 26 appear to be correct.

From the averments made in the writ petition, this Court does not find that for redressal of his valid grievances the petitioner has approached any prescribed authority of the respondent State, rather he has straightaway approached this Court in the present proceeding, which cannot be countenanced. The writ petition is apparently premature and untenable at this stage.

In above view of the matter, the present writ petition is dismissed. However, dismissal of the writ petition shall not come in the way of the petitioner in approaching the prescribed authority under a specified statute or civil court of competent jurisdiction for grant of appropriate relief(s) to the petitioner with respect to the lands in question.

(Birendra Prasad Verma, J)

BTiwary/-

U			
---	--	--	--