

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13208 of 2016

=====

Rajeev Ranjan Son of Hare Ram Prasad Roy Resident of Village/Mohalla -
Hirdayganj, Ward No. 6, P.S. - Sahayak Thana, Katihar, District - Katihar.

.... Petitioner

Versus

1. The State of Bihar through Chief Secretary, Bihar, Patna.
2. District Magistrate, Katihar.
3. Sub-Divisional Magistrate, Katihar.
4. Anchal Adhikari, Katihar.
5. Circle Inspector, Katihar, Anchal - Katihar.
6. Zila Yojna Padadhikari, Katihar.
7. Executive Engineer, Local Area Engineering Organization Works Division No.
1, Katihar.
8. In-charge Sahayak Thana, Katihar.

.... Respondents

=====

Appearance :

For the Petitioner	:	Mr. Pravin Chandra Prasad, Advocate
For the State	:	M/s Sajid Salim Khan- SC25 Rampravesh Nath Tiwari, AC to SC 25

=====

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 17-08-2016

Heard learned counsel for the petitioner and the State.

Grievance of the petitioner is that road is being
constructed by the State authorities on the raiyati land of the
petitioner.

However, it is pointed out by the State that the
petitioner himself has filed Title Suit No. 61 of 2016. A copy of the
plaint of that has been appended as Annexure 3 which is for
declaration of title over the concerned disputed land on the ground
that he has purchased the same through a registered sale deed from

the defendant 2nd party. He has also sought permanent injunction in favour of the petitioner restraining the defendant 1st party for constructing road over the purchased suit land.

In my view since the petitioner has already filed title suit for declaration of title, the present writ application would not be maintainable for restraining the other side from making any construction and, as such, this writ application stands disposed of with a liberty to the petitioner to raise such issue before the concerned court itself which in the seisin of the concerned title suit.

(Dr. Ravi Ranjan, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.09.2016
Transmission Date	NA