

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21974 of 2013

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1. Priti Sinha Wife Of Late Amal Kumar Sinha Resident Of Village - Deep Nagar, Police Station - Deep Nagar, Biharsharif, Nalanda, Being Attorney Of Sri Jawahar Lal Sarin S/O Late Dr. Laxmi Chand Verma

.... Petitioner/s

Versus

1. The State Of Bihar through The Principal Secretary Revenue Department
New Secretariat, Bihar, Patna
2. Collector Of The District Nalanda
3. Deputy Collector Land Reforms, Biharsharif, Nalanda
4. Circle Officer, Biharsharif, Nalanda
5. Officer In Charge, Deep Nagar, Police Station, Nalanda

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate.

For the Respondent/s : Mr. Subhash Pd. Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 15-07-2016 Heard the counsel for the petitioner and the State.

The notice dated 13.09.2013 issued to the petitioner by the Officer-Incharge, Deepnagar P.S. (Annexure-1) has been challenged by the petitioner whereby until disposal of the proceeding before the Divisional Commissioner arising out of Land Disputes Resolution Case no. 119 of 2012 further construction on the subject land by the petitioner has been restrained. On perusal of Annexure-2, it appears that with respect to the subject land a dispute was filed before the respondent-DCLR in which a decision was rendered in favour of one Priti Sinha. Unfortunately, Priti Sinha or the opposite parties of the

said case has not been impleaded as party respondents to the present writ petition. However, from the communication dated 10.09.2013 [Annexure 1(a)] it appears that a matter concerning the subject land is pending before the Divisional Commissioner against the order passed by the DCLR in Land Dispute case no. 119 of 2012. In this background the aforesaid notice was issued.

The petitioner without responding to the notice and thereby placing his case before the respondent-DCLR under whose instruction impugned notice was issued approached this Court. This Court is also not aware about the status of the pending matter/appeal before the Divisional Commissioner.

In such view of the matter, the Court is disinclined to grant any indulgence to the writ petitioner by invoking its extraordinary and discretionary writ jurisdiction. The petitioner may ventilate his grievance before the competent/appropriate authority/forum including the Divisional Commissioner where the matter respecting the subject land is pending in accordance with law.

(Kishore Kumar Mandal, J)

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