

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2915 of 2014

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1. Nurul Hoda
2. Shamshul Hoda Both Sons Of Rahman Mian Resident Of Village - Kesaria, P.S. Sikarpur, District - West Champaran (Bettiah)

.... Petitioner/s

Versus

1. The State Of Bihar
2. Deputy Collector Land Reforms, Narkatiaganj, West Champaran (Bettiah)
3. Abbas Deban Son Of Late Islam Dewan
4. Sanaullah Mian
5. Md. Hayat Both Sons Of Late Shamshuddin Mian All Residents Of Village - Kesaria, P.S. Sikarpur, District - West Champaran (Bettiah)

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate
For the Respondent/s : Mr. Anshul, SC-32.

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL JUDGMENT
Date: 03-08-2016

Heard.

A counter affidavit on behalf of the respondent
no.2 is filed. There is no rejoinder.

The writ application questions the legality of the
order dated 09.12.2013 passed by the respondent- Deputy Collector
Land Reforms, Narkatiaganj (for short ‘ the DCLR’) in case no. 115
of 2013-14 wherein the application of the petitioners was rejected
observing that a serious dispute of title between the parties exists.
The respondent- DCLR also noticed the contention of the petitioners
that a suit between the parties in relation to the subject land was
pending which was, however, stayed or abated owing to the

Consolidation proceeding initiated in the mouja in-question. The counsel for the State has pointed out that in the light of the findings/observation of the respondent- DCLR in the impugned order (Annexure-4), the petitioners could have filed a fresh suit for declaration of their right, title and interest and/or could have filed an appeal under Section 14 of the Bihar Land Dispute Resolution Act. I find force in the contention of the counsel for the State.

The writ application is dismissed.

(Kishore Kumar Mandal, J)

Shyam/-

AFR/NAFR	NAFR
CAV DATE	N/A
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