

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9497 of 2014

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Rajkumar Rai, S/o Late Nandu Rai, Resident of Village Hira Kanhauli, P.S. Parsauni, Anchal Parsauni, District Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate-cum-Collector, Sitamarhi.
3. The Additional Collector, Sitamarhi.
4. The Deputy Collector Land Reforms, Belsand, District Sitamarhi.
5. The Circle Officer, Block Parsauni, District Sitamarhi.
6. The Mukhiya, Gram Panchayat Raj, Parsauni Khirodhar, Block Parsauni, District Sitamarhi.
7. The Panchayat Sachiv, Gram Panchayat Raj Parsauni Khirodhar, Block Parsauni, District Sitamarhi.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar, Adv.
For the Respondent nos.1to5 : Mr. Harish Kumar, GP-8

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 09-08-2016 The petitioner is aggrieved by the order dated 28.01.2014 passed in Land Dispute Resolution Case No.30 of 2013 by the respondent D.C.L.R., Belsand, as contained in Annexure-1 to the writ petition, whereby the aforesaid case filed on behalf of the petitioner under Section 4 of The Bihar Land Disputes Resolution Act, 2009 for grant of appropriate relief(s) with respect to the lands claimed by him has been rejected.

The learned GP-8 appearing on behalf of the respondent nos.1 to 5, on the very threshold, has raised the question of maintainability of the present writ petition before this Court at this stage on the ground of availability of an alternative and efficacious remedy to the petitioner before the prescribed appellate authority and, therefore, according to him, the writ petition is liable to be dismissed.

The objection raised by the learned GP-8 is upheld.

In the considered opinion of this Court, against the order impugned, the petitioner has an alternative and efficacious remedy before the prescribed appellate authority in view of the provisions contained in Section 14 of The Bihar Land Disputes Resolution Act, 2009.

It is further relevant to mention here that, against the final appellate order, the aggrieved party will have further remedy before the learned Bihar Land Tribunal, Patna in view of the provisions contained in Section 9 of The Bihar Land Tribunal Act, 2009.

In above view of the matter, the present writ petition is dismissed, but a liberty is granted to the petitioner to approach the prescribed appellate authority for grant of appropriate relief(s) with respect to the lands claimed by him as also the order impugned.

(Birendra Prasad Verma, J)

Arvind/-

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