

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12032 of 2013

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Shiv Kumar Yadav Son Of Shri Yadav Resident Of Village And Post Office
Chauri, Police Station Daudnagar, Anchal Daudnagar, District Aurangabad

.... Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate - Cum - Collector, Aurangabad
3. The Sub- Divisional Officer, Aurangabad, District- Aurangabad
4. The Sub Divisional Officer, Daudnagar, Aurangabad
5. The Circle Officer, Daudnagar, Aurangabad

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shriprakash Shrivastava

Mr. Lal Bahadur Singh

For the State

Mr. Dev Kr. Pandey, AC to GP 2

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 04-10-2016 Heard Mr. Shrivastava for the petitioner and the

counsel for the State.

In a representative capacity, the present writ petition
has been filed questioning the legality of the order dated
08.01.2013 passed by the District Magistrate in Kabristan
Gherabandi Case No. 110 of 2012.

Indisputably, the present dispute relates to a piece of
land which is claimed by the petitioner as the land of public use.
The respondent District Magistrate has found otherwise in the
impugned order. Any such dispute can be raised before and
considered by a court of competent civil jurisdiction where the

petitioner can also question the sustainability of the order passed by the District Magistrate and impugned in the present writ petition. Even a suit in a representative capacity can be filed by the petitioner for appropriate relief.

Granting the said liberty, the writ application is disposed of.

(Kishore Kumar Mandal, J)

HR/-

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