

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16562 of 2013

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1. Sushil Kumar Singh Son Of Late Gita Prasad Singh Resident Of
Narkatiyaganj Shanti Nagar Chini Mill Road, Ward No.1, P.S.
Narkatiyaganj, District - West Champaran

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Commissioner, Tirhut Division, Muzaffarpur
3. The Collector - Cum - District Magistrate, West Champaran At Bettiah
4. The Deputy Collector, Land Reforms, Narkatiyaganj, District - West
Champaran
5. The Circle Officer, Narkatiyaganj, District - West Champaran
6. The Superintendent of Police, West Champaran at Bettiah
7. The Officer - In - Charge Of Narkatiyaganj Police Station, District - West
Champaran

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeet Kumar Singh

For the Respondent/s : Mr. Ajay

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL

ORAL ORDER

3 26-04-2016

Heard Mr. Mritunjay Kumar for the petitioner,

Mr. Rakesh Ranjan for the intervenor-respondent in I.A. No. 2687
of 2016 as well as the State.

The dispute pertains to the raiyati land. The petitioner wants a direction upon the respondents to demarcate the raiyati land for which a proceeding was filed before the Circle Officer which was referred to the Deputy Collector Land Reforms (for short 'the DCLR'). In the counter affidavit of the State, it has been stated that no application was ever filed for resolution of the dispute as per to the provisions of the Bihar Land Dispute Resolution Act, 2009 (for short 'the Act') by the petitioner before

the respondent-DCLR.

Mr. Mritunjay Kumar admits in course of submission that no such application was ever filed before the respondent-DCLR for resolution of the disputes. Let it be recorded that the stand of the intervenor-respondent is that the land does not belong to the petitioner as the same was settled with the intervenor-respondent.

Considering the facts of the case particularly the stand of the counsel for the petitioner that he proposes to file appropriate application before the respondent- DCLR for resolution of the disputes in relation to subject land under the provisions of the Act this Court disposes of the application by granting the petitioner the said liberty. Be it further noted the Court has not opined any view on the merit of the claim of the petitioner or the intervenor respondent leaving it open to the appropriate /competent authority to adjudicate upon application, if an application is filed by the petitioner.

The writ application including the Interlocutory Application stand disposed of.

(Kishore Kumar Mandal, J)

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