IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.22336 of 2013

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Sone Lal Das Son Of Late Jhumak Das Resident Of Village- Methaura, P.S. Dumra, District- Sitamarhi

.... Petitioner

Versus

1. The State Of Bihar through the District Magistrate-Cum-Collector, Sitamarhi
2. The Sub-Divisional Officer, Sitamarhi, Sadar
3. The Land Reforms Deputy Collector, Sitamarhi, Sadar
4. The Circle Officer, Dumra Anchal, District- Sitamarhi
5. Gulten Sah Son of Bhuta Sah Resident of Methaura Bishanpur, P.S - Dumra, District- Sitamarhi
6. Ram Nath Sah Son of Jagdeo Sah Resident of Methaura Bishanpur, P.S - Dumra, District- Sitamarhi

.... Respondent/s

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Appearance :
For the Petitioner/s : Mr. ARVIND KUMAR
For the Respondent/s : Mr. S.D. SANJAY

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL JUDGMENT
Date: 28-06-2016

Heard.

The writ application filed under Article 226 of the Constitution of India, questions the pregnability of the order dated 12.07.2013 (Annexure-10), passed by the Sub-Divisional Officer, Sitamarhi, directing the Circle Officer to make inquiries and only thereafter proceed with the measurement/demarcation of the land in question.

It appears that the petitioner has directly moved the Sub-Divisional Officer for measurement/demarcation of the land, whereon a direction was issued to the respondent-Circle Officer to

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make such measurement/demarcation. Respondent no. 5 filed an objection before the Sub-Divisional Officer, whereafter the impugned order has been passed. It is incorrect to say that the demarcation of the land of the petitioner has been stayed for all time to come. What has been done by the Sub-Divisional Officer is to direct an appropriate inquiries to be made with respect to the subject land with reference to the documents of the parties before proceeding for measurement/demarcation.

The Court does not find any illegality much less any patent illegality in the order to invoke the extraordinary and discretionary writ jurisdiction of the Court.

The writ application is dismissed.

(Kishore Kumar Mandal, J)

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