

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1616 of 2013

IN

Civil Writ Jurisdiction Case No. 5752 of 2012

=====

Sk. Abdul Hai Son Of Late Abdul Rauf @ Sk. Rauf Resident Of Village- Sekhi Chakia, P.S. Chakia, District- East Champaran

.... Appellant/s

Versus

1. The State Of Bihar
2. The District Collector, Motihari, East Champaran
3. The Deputy Collector, Land Reforms, Chakia Sub-Division Chakia, District- East Champaran
4. The Circle Officer, Chakia, East Champaran
5. Md. Fasiuddin Son Of Late Imamuddin Resident Of Village- Sekhi Chakia, P.O. Bara Chakia, P.S. Chakia, District- East Champaran
6. Sk. Jiyauddin Son Of Late Imamuddin Resident Of Village- Sekhi Chakia, P.O. Bara Chakia, P.S. Chakia, District- East Champaran

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Vijay Shankar Shrivastava

For the Respondent/s : Mr. Kumari Amrita

=====

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 03-03-2017

Heard counsel for the appellant and counsel for the State.

It is a well considered decision by the Learned Single Judge, wherein he refused to give any relief under extraordinary jurisdiction under Article 226 of the Constitution of India, but allowed the appellant to seek suitable compensation, if his right has been violated by any authority of the State.

The relief by way of an opening to move the civil court



has been given to the appellant by the Learned Single Judge. If the appellant feels he has a case he can move the civil court for appropriate declaration and relief. The apprehension of the appellant that law of limitation held out against him is misplaced, because he was pursuing bona-fide remedy.

Appeal is otherwise dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

SKM/-

AFR/NAFR	N.A.F.R.
CAV DATE	
Uploading Date	07.03.2017
Transmission Date	

