

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6565 of 2017

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1. Birmani Bhanu Pratap, Son of Late Dindayal Ram, Resident of Village-
Pilachhi, P.S. Daudnagar, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Principal Secretary, Revenue and Land Reforms Department,
Government of Bihar, Patna.
3. District Magistrate, Aurangabad, Bihar.
4. Sub-Divisional Magistrate, Daudnagar, District- Aurangabad.
5. Deputy Collector, Land Reforms, Daudnagar, District Aurangabad.
6. Anchal Adhikari, Daudnagar, District- Aurangabad.
7. Girija Bhusan Singh, Son of Meshwar Singh,
8. Devendra Singh @ Gaya singh, Son of Late Rampati Singh, Respondent
No. 7 & 8 are residents of Village Pilachhi, P.S. Daudnagar, District-
Aurangabad.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Prasad Singh

For the Respondent/s : Mr. Md.Khurshid Alam-AAG12

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 13-09-2018 I.A. No.8897 of 2017 is filed for a direction to the private
respondents not to construct or change any structure on the land
settled in favour of the father of the petitioner.

With the consent of both sides, the writ petition itself is
being disposed of.

Learned counsel for the petitioner submits that the nature
of the land of Khata No.32 Plot No.326 area 75 decimals situated
in village Pilachhi in the district of Aurangabad was Gairmajarua
Malik. On the application of the petitioner, Case No.7HV of 1979-
80 was registered and the Sub Divisional Magistrate vide order



dated 06.06.1981 settled the land in favour of the father of the petitioner but respondent Nos.7 and 8 bent upon to dispossess the petitioner from the settled land. Learned counsel for the petitioner submits that the petitioner has filed petition before the Collector raising his grievance and imminent danger for being dispossessed from the land but from query, learned counsel for the petitioner disclosed that the petitioner has not filed any petition under the B.L.D.R. Act, 2009 for imminent dispossession of the settled land made in favour of his father. B.L.D.R. Act provides efficacious and alternative remedy for such dispossession of the settlees, on such, learned counsel for the petitioner seeks permission to withdraw this writ petition so that the petitioner may file petition before the D.C.L.R. under the B.L.D.R. Act for redressal of his grievance.

Prayer is allowed. This writ petition is disposed of as withdrawn with the aforesaid liberty and if the petitioner files any petition before the D.C.L.R., Daudnagar, Aurangabad, the D.C.L.R. shall dispose of the same in accordance with law as soon as possible.

With the aforesaid observation, this writ petition stands disposed of.

Saurabh/-

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(Prabhat Kumar Jha, J)

