

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1305 of 2019

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Krishna Kumar Singh Arya @ Heera Lal Yadav S/o Late Keshwar Prasad
Yadav Vill.- Telhara, P.O. and P.S.- Telhara, Anchal- Ekangarsarai, Distt.-
Nalanda

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Land Reform and Revenue Department, Govt. of Bihar, Patna
2. The Principal Secretary Department of Co-operative, Govt. of Bihar, Old Sachivalay at Patna
3. The Divisional Commissioner Patna Division at Patna
4. The District Magistrate Nalanda at Bihar sharif
5. Additional Collector Nalanda at Biharsharif
6. The Sub-Divisional Officer Hilsa, Nalanda
7. The D.C.L.R. Hilsa, Nalanda
8. The Circle Officer Ekangarsarai, Nalanda
9. Block Co-Operative Officer Ekangarsarai, Nalanda

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr. Ashok Kumar, Advocate Mr. Lal Bahadur Singh, Advocate
For the State	:	Mr. Rakesh Ranjan, AC to AAG-12

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-01-2019 Heard the parties.

In the present writ application, the following reliefs
have been sought for on behalf of the petitioner :

1(i) For setting aside the recommendation letter
No.799 dated 31.3.2018 issued by the Circle Officer,
Ekangarsarai, Nalanda, by which respondent No.8
gave no objection for construction of Godown for
onion & Rice Mill to Telhara Panchayat, which is
situated in Mauza Telhara, Thana No.9, Khata
No.498/495, Khesra No.2058/1740, area 28 dismal,
Anchal Ekangarsarai, District Nalanda.



(ii) For direction to the respondents authority to initiate legal proceeding either under Land Encroachment Act or under Land Acquisition Act before construction of Godown for Onion and Rice Mill.

The respondent State has directed for construction of godown on the land in question as above referred treating the land to be a public land.

On behalf of the petitioner, it is submitted that the said land belongs to the petitioner and he is the title holder. The dispute is in respect of title of the land. Thus, it cannot be decided under writ jurisdiction.

Considering the aforesaid facts and circumstances, the petitioner is directed to file a suit before the Civil Court with competent jurisdiction.

With the aforesaid observation and direction, the present writ application stands disposed of.

(Sudhir Singh, J)

Narendra/-

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