

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1717 of 2019

1. Sunil Kumar, Son of Babulal Singh.
2. Shikendra Kumar, Son of Harimohan Singh.
3. Satendra Singh, Son of Ram Ishwar Singh.
4. Premchand Kumar, Son of Ramthal Prajpat. All residents of Village- Chaurahi, Post Office- Chaurahi, Police Station- Haspura, District- Aurangabad, Bihar- 824120

... .. Petitioners

Versus

1. The State of Bihar.
2. The Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
3. The Principal Secretary, Rural Development Department, Government of Bihar, Patna.
4. The Commissioner, Magadh Division, Gaya.
5. The District Magistrate, Aurangabad.
6. The Deputy Collector Land Reforms, Daud Nagar, Aurangabad.
7. The Deputy Collector Land Reforms, Aurangabad.
8. The Sub Divisional Officer, Daudnagar, Aurangabad.
9. The Block Development Officer, Haspura, Aurangabad.
10. The Circle Officer, Haspura, Aurangabad.
11. The Officer-in-Charge, Haspura, Aurangabad.

....Respondents.

12. Shree Shiv Pujan Sao.
13. Shree Vishu Sao. Both sons of Late Jatan Sao.
14. Shree Motilal Ram.
15. Shree Dukhit Ram. Both sons of Late Janki Ram.
16. Shree Umesh Vishvkarma, Son of Late Prabhu Mistry.
17. Shree Awadhesh Paswan.
18. Shree Sudhesh Paswan. Both sons of Budhan Paswan.
19. Shree Nageshwar Ram.
20. Shree Yogendra Ram.
21. Shree Dhaneshwar Ram. All sons of Late Gariban Ram.
22. Shree Ram Narayan Ram, Son of Late Radheshwar Ram.
23. Shree Dilip Sao, Son of Raman Sao.
24. Shree Suraj Sao, Son of Late Nanhak Sao.
25. Shree Aravind Paswan.
26. Shree Arjun Paswan. Both sons of Late Pran Paswan. All residents of Village- Chaurahi, Post Office- Chaurahi Police Station- Haspura, District- Aurangabad, Bihar- 824120

... .. Respondents

Appearance :

For the Petitioners : Mr. Anil Kumar, Advocate.
For the Respondents : Mr. Rishi Raj Sinha, S.C. 19.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH



ORAL ORDER

2 30-01-2019 Heard learned counsel for the petitioners and learned
counsel for the respondents.

The following reliefs have been sought for by the
petitioners in the present writ application.

“1 (I) For issuance of an appropriate writ commanding the respondents to give the possession over the land of the petitioners having Mauza/Gram-Chaurahi, Thana-Haspura, Khata No. 79, Plot No. 587, Area-4½ Bigaha, land in which owner of the said land, namely, Babu Harinarayan Singh, son of Babu Basudev Narayan Singh is mentioned in C.S. as Gairmajarua Malik and the said land was allotted through Hukumnaama in the year 1340 to Shalikgram Singh and Chandradeep Singh, Son of Ram Lagan Singh and others and thereafter the possession has been taken over the said disputed land from date of Hukumnaama to till date as contained in Annexure-1 to this writ petition.
(ii) For issuance of an appropriate writ commanding the respondents to restrain the possession through encroachment over the disputed lands as to when the said land has been settled/allotted in the year 1340 and further give the possession over the disputed land to the petitioners.’

The petitioners seek delivery of possession of the land
in question from the private respondent nos. 12 to 26.
Admittedly, the litigation is between two private parties. No writ
can be issued in this situation under Article 226 of the



Constitution of India.

The petitioners may file Suit before the Civil Court with the competent jurisdiction for redressal of their grievances.

With the aforesaid observations and directions, the present writ application stands disposed of.

U.K./-

(Sudhir Singh, J)

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