

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14004 of 2016

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1. Mosmat Pawadharo Devi, Wife of Late Mishrilal Yadav Resident of Village - Nahasi, Post Office - Bhagwan Tola, Police Station - Garahani, Anchal - Garahani, District - Bhojpur.
 2. Ravi Shankar, Son of Late Mishrilal Yadav Resident of Village - Nahasi, Post Office - Bhagwan Tola, Police Station - Garahani, Anchal - Garahani, District - Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Collector, Bhojpur, Ara.
3. The Superintendent of Police, Bhojpur, Ara.
4. Brij Bihari Singh
5. Ayodhya Singh
6. Dip Narayan Singh
7. Ganga Dayal Singh
8. Jagdish Singh All Sons of Sheo Kumar Singh
9. Lal Babu Singh Son of Late Girja Nandan Singh
10. Lalan Singh All residents of Village - Nahasi. Post Office - Bhagwan Tola, Police Station - Garahani, Anchal - Garahani, District - Bhojpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Damodar Prasad Tiwary
For the Respondent/s : Mr.Sajid Salim Khan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 18-06-2019 Heard learned counsel for the petitioners and the
counsel appearing on behalf of the State.

Petitioners are aggrieved by the order passed by the
Commissioner, Patna Division in Land Dispute Appeal No. 410
of 2014.

The Commissioner on consideration of the entire facts



and circumstances involved in the present case held out that there is no infirmity in the order passed by the DCLR. The DCLR has no jurisdiction to decide the dispute. However, indulgence was granted to the petitioners to approach the competent civil court for appropriate decision. The decision of the Commissioner is well founded as it was in pursuance of the judgment of this Court in **Nelambar Thakur vs. State of Bihar reported in 2014(3) 291.**

Considering the aforesaid, the Court is not inclined to interfere with the order passed by the Commissioner. However, liberty shall be available to the petitioners to file suit for appropriate relief before the competent civil court.

The respondents are directed to maintain status quo for a period of two months from today to enable the petitioners to file suit before the competent civil court within a period of one month from today.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

Ravi/-

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