

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5137 of 2019

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Surendra Singh @ Satyendra Prasad Sharma @ S. P. Sharma Son of
Radheshyam Sharma, Resident of New Area Piparpanti, P.S.- Kotwali,
District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through District Magistrate, Gaya.
2. The District Magistrate, Gaya.
3. The Senior Superintendent of Police, Gaya.
4. The Superintendent of Police, Gaya
5. The Sub-Divisional Officer, Sadar, Gaya.
6. The Circle Officer, Town, Gaya.
7. The Station- Head Officer (S.H.O.), Kotwali, P.S. Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanchay Srivastava
For the Respondent/s	:	Mr. Raj Kishore Roy (GP-18)
		Mr. Mukul Prasad, AC to GP-18

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 27-03-2019 Heard learned counsel for the parties.

The petitioner is seeking a direction to the respondents to comply with an order dated 06.05.2014 passed by the Deputy Collector Land Reforms, Sadar, Gaya in Case No. 401/2013-14 exercising his power under the Bihar Land Disputes Resolution Act, 2009 (in short 'the Act'), which is said to have been subsequently upheld up to the Bihar Land Tribunal by order dated 20.02.2018 passed in B.L.T. Case No. 540 of 2017.



From the pleadings on record, it does not appear whether the petitioner ever invoked Section 15 of the Act read with Rule 30 of the Bihar Land Disputes Resolution Rules, 2010 (in short 'the Rules').

Section 15 of the Act reads thus:-

“15. Execution of the Order Passed by the competent authority.- The Competent Authority shall execute the order passed by him subject to order if any passed in appeal:-

Provided that if no appeal is filed within the prescribed period he shall proceed to execute the said order either himself or authorise any other officer or employee to execute the same.”

Rule 30 of the Rules is as follows:-

30. Execution of order.- For purposes of Section 15 of the Act, the competent authority shall execute the order passed by him subject to order, if any, passed in appeal. If no appeal is filed within the prescribed period he shall proceed to execute the said order either himself or authorise any other officer or employee to execute the same.”

Since the petitioner has an alternative statutory



remedy under the Act and the Rules as referred to above, this application is disposed of with a liberty to the petitioner to approach the competent authority for redressal of his grievance under the Act and the Rules.

(Chakradhari Sharan Singh, J)

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