

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22730 of 2018

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Baunu Mandal son of Late Choudhary Mandal, Resident of Village- Kursela Basti, P.S.- Kursela, District- Katihar.

... .. Petitioner

Versus

1. The State Of Bihar
2. The Principal Secretary, Department of Land and Revenue, Government of Bihar, Patna.
3. The District Magistrate, Katihar.
4. The Superintendent of Police, Katihar.
5. The Circle Officer, Kursela, District- Katihar.
6. The Station House Officer, Kursela, District- Katihar.
7. Dinesh Mandal Son of Kishori Mandal Resident of Village- Kursela Basti, P.S.- Kursela, District- Katihar.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Amish Kumar

For the Respondent State: Mr. Ramesh Kumar Singh, AC to GP-15

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 22-07-2019 This writ application has been filed seeking direction to the respondents to take steps for disposal of Bhoomi Mapi Abilekha Case No. 48 of 2015-16, which is pending before the Circle Officer, Kursela, on the basis of an application filed by the petitioner for carrying out measurement of his land in respect of Mauza-Muradpur, Khata No. 1000, Khesra No. 6976 and 6983. The petitioner is also seeking a direction to the Circle Officer to demarcate and measure 13.5 decimal of land, which, according to the petitioner, falls in his share.

Learned counsel appearing on behalf of the petitioner



has submitted that no dispute over title is involved between the petitioner and respondent No.7, and it is only a question of measurement and demarcation of his land and because respondent No.7 is interfering in peaceful possession of the petitioner over the land in question, a situation for demarcation of land in accordance with law has arisen.

In my view, the petitioner has remedy under Section 4 of the Bihar Land Dispute Resolution Act, if the dispute does not relate to any complex question of title.

Considering the above, this writ application is disposed of with a liberty that if any application is filed under the provisions of Bihar Land Dispute Resolution Act by the petitioner before Deputy Collector Land Reforms, Katihar, the same shall be disposed of expeditiously in accordance with law.

(Chakradhari Sharan Singh, J)

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