

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23939 of 2018

1. Abhay Kumar Verma and Ors S/o Ganesh Prasad Verma Resident of Village Gosi Amnaur, P.S Amnaur , District Saran.
2. Ganesh Prasad Verma Son of Late Bhurteshwar Resident of Village Gosi Amnaur, P.S Amnaur , District Saran.
3. Upendra Prasad Verma Son of Late Bhurteshwar Resident of Village Gosi Amnaur, P.S Amnaur , District Saran.
4. Munmun Srivastava Son of Late Bhurteshwar Resident of Village Gosi Amnaur, P.S Amnaur , District Saran.
5. Dhananjay Kumar Verma Son of Ganesh Prasad Verma Resident of Village Gosi Amnaur, P.S Amnaur , District Saran.
6. Ratnesh Kumar @ Shashi Bhushan Prasad Srivastava Son of Late Arjun Lal Resident of Village Gosi Amnaur, P.S Amnaur , District Saran.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. Deputy Collector Land Reforms, Marhaura, District Saran
3. Circle Officer, Amanaur, District Saran
4. Raj Kishore Singh Son of Late Ramchandra Singh Resident of Village Gosi, Amnaur, District Saran

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Uma Kant Tiwary
For the Respondent/s : Mr.Md. Khurshid Alam- AAG-12

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 18-07-2019 Heard learned counsel for the parties.

2. The petitioners have put to challenge an order dated 24.10.2018, passed by the Deputy Collector Land Reforms, Saran, whereby he has rejected the petitioners' claim of their title over a piece of land, which has been found to be *Gairmajarua Malik*.



3. It is evident from the materials on record that there was dispute in respect of land in question between the petitioners and the private respondent No.4 and at the instance of private respondent No.4, Misc. Case No. 14 of 2017-18 was registered in which the impugned order has been passed by the Deputy Collector Land Reforms, Saran. The respondent No.4 claimed his title over the disputed land on the basis of settlement made in his favour in 1925, who according to the petitioners had died in the year 1920 itself. The Deputy Collector Land Reforms deciding the said Misc. Case No. 14 of 2017-18, has recorded that neither of the parties had any valid claim over the land in question, which was a *Gairmajura Malik* land.

4. I am not inclined to entertain this application for two reasons. Firstly, the dispute apparently involves question of title between the petitioners and the private respondent No.4 as well as the State of Bihar. Secondly, if either of the parties has any grievance against the impugned order, he/she could have preferred appeal under the provisions of Bihar Land Disputes Resolution Act, 2009. It goes without saying that the questions involving dispute over title/possession can be decided only by a competent court of civil jurisdiction.



6. This application is thus disposed of with an observation that the parties shall be at liberty to approach the Civil Court of competent jurisdiction, so as to establish their respective title/possession over the disputed land. It is indicated that no observation made in the order impugned shall prejudice the case of either of the parties, if any suit is filed by either them.

7. This disposes of the application.

(Chakradhari Sharan Singh, J)

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