

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9684 of 2019

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1. Sonelal Mahto @ Sonelal Singh Son of Late Fakira Mahto Resident of Village-Budh Nagra P.S. and Anchal Mushahari District-Muzaffarpur
 2. Ram Ekbal Mahto @ Ram Ekbal Singh Son of Saryug Mahto Resident of Village-Budh Nagra P.S. and Anchal Mushahari District-Muzaffarpur
 3. Bhola Mahto @ Bhola Singh @ Bhola Bhagat Son of Ram Bilash Mahto @ Ram Bilash Bhagat Resident of Village-Budh Nagra P.S. and Anchal Mushahari District-Muzaffarpur
 4. Kishori Mahto @ Kishori Singh Son of Late Baidyanath Mahto Resident of Village-Manika Bishunpur Chand P.S. and Anchal Mushahari, District-Muzaffarpur

... .. Petitioners

Versus

1. The State Of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna
2. The District Magistrate Muzaffarpur
3. The Sub-Divisional Officer East Muzaffarpur
4. Dy. Collector Land Reforms Muzaffarpur East District- Muzaffarpur
5. Anchal Adhikari Mushahari P.S. Mushahari. District Muzaffarpur.

... .. Respondents

Appearance :

For the Petitioner/s : Mr.Arun Kumar
For the Respondent/s : Mr.Rishi Raj Sinha (Sc19)
Mr. Birendra Pd. Singh, AC to SC-19

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 15-05-2019 An order of the Deputy Collector Land Reforms, Muzaffarpur East, dated 10.06.2017, passed in Rent Fixation Case No. 7 of 2017-18 is under challenge in the present writ application. From the impugned order, it is noticeable that in Khatiyani, the land, subject matter of the dispute, has been described as '*Bihar Sarkar Kishm Nadi*'. The Deputy Collector



Land Reforms, after noticing the said aspect, has rejected the petitioner's case for fixation of rent in his favour in the absence of any adjudication by a civil court of competent jurisdiction over the petitioner's claim of his title in respect of the land in question. The present writ application has been filed two years after passing of the said order.

In any view of the matter, I do not find any legal infirmity requiring this Court's interference. The nature of dispute, which the petitioner intends to raise in the present proceeding, can be adjudicated only by filing a suit before a civil court of competent jurisdiction.

This writ application is disposed of with a liberty for the petitioner to file a suit.

This application stands disposed of.

(Chakradhari Sharan Singh, J)

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