

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10516 of 2019

Raj Ballabh Prasad Sinha @ Raj Ballabh Srivastav S/o Baldev Lal Srivastava
@ Baldev Lal Sinha Resident of Ward No. 20, J.N.Path, P.s.- Farbesganj,
Distt.- Araria

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Old Secretariat, Bihar, Patna
2. The Principal Secretary Land Reforms and Revenue Department, Govt. of Bihar, Patna
3. The Commissioner Purnea Commissionery, Purnea
4. The District Magistrate Araria
5. The Sub Divisional Officer Araria
6. The Circle Officer Distt.- Araria
7. The Executive Officer Farbesganj Nagar Parisad, Farbesganj, Distt.- Araria
8. Anil Kumar Sinha Ward Commissioner, ward no. 14, Nagar Parishad, Farbesganj

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha
For the State : Mr.Md. Khurshid Alam (AAG-12)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 09-05-2019 Though, the case has been listed with office notes, pointing out certain defects, considering the nature of dispute involved, ignoring the said defects, I proceed to dispose of the writ application, after hearing the learned counsel for the parties.

Following is the relief, which the petitioner has sought in the present writ application:-

“(i) For issuance of an appropriate writ with a direction upon the respondents restraining them from taking any step towards vacating. The private land of the petitioner vide Gyank 27/90, farbesganj dt. 08.01.2019 bearing Khata No. 50, all Plot No. 88, Area-1 Khata and Khata No. 53, Plot No.88 Area 1 Katha 51/2 Dhurin



Ward No.20 Farbesganj District-Araria.
(ii) For restraining the Respondents from compelling the petition to vacate the land in question till disposal of the present writ application.”

It is manifest from the pleadings on record that the petitioner’s claim of title over the land is disputed.

Learned counsel for the petitioner has stated that a title suit, being Title Suit No. 171 of 2007, pending in the court of learned Munsif, Araria, in connection with the land, is the subject-matter of the present case.

Filing of the present writ application, in that background, when the title suit is pending, is misconceived.

This writ application is accordingly dismissed.

(Chakradhari Sharan Singh, J)

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