

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12828 of 2019

Chandrika Ray S/o Late Shiv Baran Ray Resident of Village-Ramnagar
Diyara,Tola Ganj Ka Dera,P.S. Bakhtiyarpyur,Dist.-Patna,At present Residing
at Naya Tola,Madhampur,P.S. Bakhtiyarpur,Dist.-Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, Patna
2. Additional Collector Revenue, Patna
3. Deputy Collector Land Reforms, Barh
4. Circle Officer, Bakhtiyarpur,P.O. and P.S. Bakhtiyarpur,Dist.-Patna
... ..Respondent 1st set
5. Chandeshwar Rai S/o Late Shiv Baran Rai Resident of Village-Ramnagar
Diyara,Tola Ganj Ka Dera P.S. Bakhtiyarpur, Dist.-Patna.At present
Residing at Naya Tola,Madhampur,P.S. Bakhtiyarpur,Dist.-Patna
6. Vijay Rai S/o Late Shiv Baran Rai Resident of Village-Ramnagar
Diyara,Tola Ganj Ka Dera P.S. Bakhtiyarpur, Dist.-Patna.At present
Residing at Naya Tola,Madhampur,P.S. Bakhtiyarpur,Dist.-Patna

... .. Respondents 2nd set

Appearance :

For the Petitioner/s	:	Mr.Manager Sah
For the State	:	Mr.Md. Khurshid Alam (AAG-12) Mr. Majid M. Khan, AC to AAG 12

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 27-06-2019 The delay in removing the defects stands condoned.

Let filing of the present writ application, after
removal of the defects, be treated to be valid.

Though the writ application has been listed under the
heading “For orders (on office notes)”, considering the nature
of the dispute, which the petitioner intends to be adjudicated
upon by this High Court in a proceeding under article 226 of the
Constitution of India, the same is being disposed of by the
present order.

The petitioner is seeking a direction to the respondent-
State of Bihar and its officials not to make illegal construction



over the *raiyati* lands of the petitioner and the private respondents situate Mauza Madhopur in the district of Patna.

It appears that there is dispute touching the title of the petitioner and other persons over the lands, in question, in respect of which the petitioner and others are said to have filed Title Suit No. 16 of 2018, which is pending in the court of learned Sub-Judge-I, Barh.

Once the petitioner has filed the suit and there is dispute in respect of the title, I am not inclined to entertain this writ application.

The writ application is accordingly dismissed.

It is indicated that I have not gone into the merits of the petitioner's claim over his title, in respect of the disputed property, which can be decided only by a competent court of civil jurisdiction, in accordance with law.

(Chakradhari Sharan Singh, J)

HR/-

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