

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10624 of 2019

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1. Chintu Kumar S/o Late Kameshwar Singh Vill.- Daulatpur, Adluchak, P.s. and P.o.- Jehanabad, Distt.- Jehanabad
 2. Digambar Kumar S/o Dina Nath Singh Vill.- Daulatpur, Adluchak, P.s. and P.o.- Jehanabad, Distt.- Jehanabad at present residing at Sarvodaya Nagar, Kumhara, P.s.- Agamkuan, Distt.- Patna

... .. Petitioners

Versus

1. The State of Bihar through the Principal Secretary, Rural Development Department, Govt. of Bihar, patna
2. The Principal Secretary Rural Department, Govt. of Bihar, Patna
3. The District Magistrate-cum-Collector Jehanabad, Distt.- Jehanabad
4. The Addl. Collector Jehanabad, Distt.- Jehanabad
5. The Land Reform Deputy Collector Jehanabad, Distt.- Jehanabad
6. The Anchaladhikari Jehanabad, Distt.- Jehanabad

... .. Respondents

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra
For the Respondent/s : Mr.Vikash Kumar (Sc11)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 20-06-2019 This writ application has been filed seeking
following direction :

“for issuance of writ nature of mandamus for direction to the respondents consider the application of the petitioners for direction to the respondents to demarcation the land bearing Thana No. 379, Khata No. 286, Plot No. 2248, 2259 and 2207 total 8.63 acres, which are purchased land of the petitioners and running in Jamabandi in the name of the petitioners in the light of the order dated 11.02.2016 passed Addl. Collector, Jahanabad in Mist. Case No. 04/AC/2014-15 by which directed to the Anchaladhikari to open the Jamabandi and fixed the rent in the name of the petitioners and further issue direction to the respondents to comply the order bearing Memo No.04 dated 20.02.2019 by



which directed to the respondents Anchaladhikari to demarcated the land of the petitioners in the presence of the Magistrate and further issue direction to the respondents consider the case of the petitioners for demarcation for making boundary in presence of police force and further give other legal consequential benefit to the petitioners.”

The petitioners have remedy under the Bihar Land Disputes Resolution Act, 2009, for the relief, which the petitioners are seeking. Learned counsel appearing on behalf of the petitioners states, referring to Annexure-8 to the writ application, that a representation has been filed before the Circle Officer, Sadar, Jahanabad, for demarcation of the land. Under the Bihar Land Disputes Resolution Act, 2009, Circle Officer is not the competent authority, rather the competent authority is Deputy Collector Land Reforms, before whom the petitioners could have filed an application in accordance with the Bihar Land Disputes Resolution Rules, 2010, and in accordance with the procedure prescribed under Rule 3 of the said Rules.

If any such application is filed, the same shall be disposed of in accordance with the time stipulated under the Act and the Rules.

This writ application is disposed of.

(Chakradhari Sharan Singh, J)

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