

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7646 of 2018

Ashok Kumar Jha Son of Late Gaurikant Jha, Resident of Village- Bijalpura,
P.S.- Arer, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Animal Husbandry and Fisheries, Bihar, Patna
2. The District Magistrate, Madhubani.
3. The Additional Collector, Madhubani.
4. The Sub divisional Officer, Benipatti, District- Madhubani.
5. The Anchal Adhikari, Benipatti Anchal, District- Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Vijay Kumar
For the State	:	Mr.Sajid Salim Khan- SC-25 Mr. Wasi Ahmad Khan, AC to SC 25

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 12-04-2019 The petitioner claims that the respondents have settled his *raiya* land as Government *Shairat*, treating the said land to be a *Jalkar*. He states that the settlement of the land in favour of the petitioner's ancestors was made by Ex-Jamindar of Dharbhanga Raj and, since then, the ancestors of the petitioner were coming in possession. It is the petitioner's case that the employees of the Circle Office had inadvertently put the pond dug by the petitioner over the land in question and he had made protest in this regard to the Sub-Divisional Officer, Benipatti on 09.07.2008.

It, however, appears from the pleadings on record that



the pond, in question, has been settled in favour of the private persons, who have not been impleaded as parties. It is not mentioned in the writ application as to for what period the settlement has been done.

In view of the nature of dispute, as is evident from the pleadings in the writ petition, this Court cannot adjudicate upon the matter.

The petitioner has filed his representation before the Collector, Madhubani, in this regard. He shall be at liberty to pursue his remedy before him or any other forum, as may be advised to him.

This writ application is disposed of with the above-noted observation.

(Chakradhari Sharan Singh, J)

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