

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14178 of 2019

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1. Vijay Kumar Mishra Son of Late Lakshman Mishra Resident of Village-Pirhi, Block and P.S.- Babubarhi, District- Madhubani.
 2. Ganga Prasad Mishra Son of Late Lakshman Mishra Resident of Village-Pirhi, Block and P.S.- Babubarhi, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land Acquisition and Reform Department, Govt. of Bihar, Patna.
2. The Commissioner, Darbhanga Division, Darbhanga.
3. The Collector-cum-District Land Acquisition Officer, Madhubani.
4. The Additional Dist. Magistrate, Madhubani.
5. The District Collector Land Reform, Madhubani.
6. The Circle Officer, Circle Babubarhi, Madhubani.
7. Bimla Devi Wife of Late Lakhan Mishra Bihar
8. Govind Mishra Son of Late Lakhan Mishra Bihar
9. Gopal Mishra Son of Late Lakhan Mishra Bihar.
10. The O/C, Babubarhi, P.S., Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok
For the Respondent/s : Mr.Rishi Raj Sinha (SC-19)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 19-07-2019 Following is the relief, which the petitioners are seeking:-

“That, this is an application is being filed for writ/writs, order/orders, direction, directions commanding respondent authorities to measure and demarcate the self acquired/ purchased land by the father of the petitioner this



writ application is further being filed for setting aside the letter no. 834 dated 10.06.2019 and letter No. 708 dated 14.05.2019 issued by the Respondent No.6 by which the order has been passed for measurement of ancestral land over which partition Suit No. 37 of 2007 is pending in the Court of the Sub-Judge-VI, Madhubani.”

2. According to their own showing, a Partition Suit No. 37 of 2007 is pending before the Court of learned Sub-Judge-VI, Madhubani. The nature of relief, which the petitioners are seeking cannot be entertained in the present proceeding under Article 226 of the Constitution of India as the dispute apparently touches the title over the property.

3. This application is disposed of with the observation that the petitioners shall be at liberty to approach appropriate forum/Court for the relief, which they are seeking in the writ application.

4. This disposes of the application.

(Chakradhari Sharan Singh, J)

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