

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6021 of 2015

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Kamaldeo Pandey son of late Culhan Pandey resident of Village
Ishmyalechak, P.O. Govindchak P.S-Circle Sonapur District Saran.

... .. Petitioner/s

Versus

1. The State Of Bihar through Collector, Saran
2. Land Reforms Deputy Collector Sonapur Saran.
3. Circle Officer, Sonapur, Saran
4. Circle Inspector, Sonapur, Saran
5. Pashupati Pandey son of not known
6. Badri Pandey son of not known All resident of village Ishmyalechak P.O.
Govindchak P.S Circle Sonapur District Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Ratan Kumar Sinha
For the Respondent/s	:	Mr.Akhilesh Kumar Sinha, AC to SC-19
For Respondent No.5	:	Mr. Arbind Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

4 19-02-2019 A counter affidavit has been filed on behalf of the

State of Bihar, which is taken on record. A copy of the said

counter affidavit has been served on learned counsel appearing

on behalf of the petitioner.

2. However, since this application can be disposed of
on the ground of availability of statutory remedy to the
petitioner to assail the impugned order, I need not go into the
factual aspects of the matter as narrated in the writ petition,
supplementary affidavit and counter affidavit filed on behalf of
the respondents.

3. An order dated 12.02.2015, passed by the Deputy



Collector Land Reforms, Sonapur, Saran in Miscellaneous Case No. 17 of 2013-14 is under challenge in the present application, whereby he has rejected an application filed by the petitioner for correction of jamabandi. The Deputy Collector Land Reform has rejected the petitioner's application, *inter alia*, on the ground that the disputed question of title could not be gone into in the proceeding before him, which could be adjudicated upon only by a competent Court of civil jurisdiction.

4. Learned counsel appearing on behalf of the petitioner has submitted that no question of title is involved and, therefore, rejection of the petitioner's application on the said ground is not tenable.

5. Be that as it may, the petitioner has remedy of appeal/revision under the provisions of the Bihar Land Mutation Act, 2011, which he can avail by filing appropriate application.

6. I make it clear that I have not gone even into the question as to whether disputed question of title is involved in the present matter, which too, can be examined by the appellate authority or the revisional authority.

7. It goes without saying that the petitioner can very well co-agitate his grievance before competent Court of civil jurisdiction. It is indicated that no question of limitation shall be



raised by the appellate/revisional authority, if the application is filed within thirty days from today, keeping in mind the fact that the petitioner was pursuing his remedy before this Court by present application.

8. This application stands disposed of with the observation as above.

(Chakradhari Sharan Singh, J)

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