

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14395 of 2019

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Md. Tahmid S/o Mohammad Jamaluddin Resident of Village Dahuabari, PO
Kalbari, PS Amour, Dist. Purnea

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector-cum-District Matgistrate, Purnea
2. The Additional Collector, Land Reforms, Purnea.
3. The Sub Divisional Magistrate,, Baisi Sub Division, Purnea
4. The Block Development Officer, Amour, Dist. Purnea
5. The Circle Officer, Amour Circle, Dist. Purnea
6. Halka Karamchari of Halka No.02 of Dahuabari Circle, Amour, Dist. Purnea
7. Abdul Manan S/o Late Najmul Hussain Resident of Village Dahubabari, PO
Talbari, PS Amour, Dist. Purnea
8. Sahrooj S/o Lhalilur Rahman Resident of Village Dahubabari, PO Talbari, PS
Amour, Dist. Purnea
9. Khadeem S/o Late Jahilur Haque Resident of Village Dahubabari, PO
Talbari, PS Amour, Dist. Purnea

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Md. Helal Ahmad
For the Respondent/s : Mr.Raj Kishore Roy (GP-18)

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

ORAL ORDER

2 23-07-2019 Heard learned counsel for the parties.

2. A notice dated 08.05.2019 issued by the Circle
Officer, Amour to the petitioner and other persons has been put
to challenge in the present writ application. The said notice has
been brought on record by way of Annexure-1 to the writ
application, from which it appears that Anchal Amin had
reported misbehavior against the petitioner and other persons
while he was carrying out the work of



measurement/demarcation over a piece of land. The persons to whom the notices has been issued are said to have used abusive language against the Anchal Amin when he was measuring the land. The Circle Officer by the said notice had asked the petitioner and other persons to present the documents which they claim to possess in respect of the land in question. There is no averment in the writ application as to whether the petitioner has responded to the said notice dated 08.05 2019.

3. Learned counsel for the petitioner has submitted that the Circle Officer ought not to have issued such notices and that, he is in fact interfering with the use of land by the petitioner and other persons.

4. In my view, filing of this application is an abuse of the process of the Court. The petitioner could have approached the higher authorities in the District, if according to him, the Circle Officer was exceeding his jurisdiction. From notice dated 08.05.2019, it appears that the Circle Officer had simply sought for the papers in respect of the lands over which the the petitioner and others were creating disturbance, according to him. The petitioner had alternative statutory remedy also under Bihar Land Dispute Resolution Act or Bihar right to Public Grievance Redressal Act, 2015.



5. This application is accordingly dismissed.

6. The dismissal of the writ application will not preclude the petitioner from approaching the appropriate authority/forum for redressal of his grievance.

(Chakradhari Sharan Singh, J)

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