

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21647 of 2019

=====

Upendra Parihast, Aged about 50 years, Male, S/o Late Satyadev Parihast,
Resident of Village Kalyanpur Batipar, P.S. Bibhutipur, District Samstipur.

... .. Petitioner/s

Versus

1. The State of Bihar through District Magistrate, Darbhanga.
2. The District Magistrate, Darbhanga.
3. The District Land Reforms Officer, Sadar Darbhanga.
4. The Circle Officer, Bahadurpur, Distt.- Darbhanga.
5. Munindra Thakur, S/o Kapleshwar Thakur, Resident of Village- Jalwar, P.S.- Simri, Distt.- Darbhanga.
6. Baua Thakur, S/o Kusheshwar Thakur, Resident of Village- Jalwar, P.S.- Simri, Distt.- Darbhanga.
7. Kripal Thakur, S/o Nageshwar Thakur, Resident of Village- Jalwar, P.S.- Simri, Distt.- Darbhanga.
8. Mukti Misra, S/o late Yadunandan Misra, Resident of Village- Jalwar, P.S.- Simri, Distt.- Darbhanga.
9. Jaikant Mishra, S/o Makshudan Mishra, Resident of Village- Jalwar, P.S.- Simri, Distt.- Darbhanga.
10. Shatish Thakur, S/o Late Pashupati Thakur, Resident of Village- Jalwar, P.S.- Simri, Distt.- Darbhanga.

... .. Respondent/s

=====

Appearance :

For the Petitioner	:	Mr. Brij Bihari Tiwary, Advocate
For the State	:	Mr. Sajid Salim Khan, S.C.25

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 04-11-2019 This writ petition has been filed for issuance of direction to the respondents to allow the petitioner to enjoy his peaceful possession over his ancestral property situated in Village Jalwara, P.S. Simri, Circle Bahadurpur, District Darbhanga.

Learned counsel for the petitioner submits that the



lands of Khata No.306 and Khata No.427 measuring 1 Acre 7 Kattha and 12 Dhurs was recorded in the name of ancestor of the petitioner. Father of the petitioner moved out from the village and settled in district Samastipur but the petitioner came in possession by way of inheritance. It is further submitted that respondents no.5 to 10 are not allowing the petitioner to peacefully enjoy his ancestral property.

On the face of the contention raised by the petitioner, it appears that there is a bona fide land dispute between the petitioner on the one hand and respondents no.5 to 10 on the other and this land dispute between the two parties cannot be decided in this writ petition filed under Article 226 of the Constitution of India.

In this view of the fact, I do not find any merit in this writ petition and accordingly the same is dismissed.

(Prabhat Kumar Jha, J)

S.KUMAR/-

U			
---	--	--	--

