

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24700 of 2019

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Indradev Yadav son of late Dharam Yadav, resident of village- Tetar Bigha,
P.S.- Rajgir, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Revenue Land Reforms department Govt. of Bihar, Patna.
2. The Commissioner, Patna Division, Patna.
3. The Collector, Nalanda at Bihar Sharif.
4. The Superintendent of Police, Nalanda at Bihar Sharif.
5. The Sub Divisional officer cum Sub Divisional Public Grievance Redressal officer Rajgir, Nalanda.
6. The Dy S P Rajgir, Nalanda.
7. The Circle officer, Rahui, Nalanda.
8. The S H O Silao Police Station, Nalanda.
9. Rajnandan Yadav, son of late Shivcharan Gope, resident of village- Bahera,
P S- Silao, District- Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Prasad
For the Respondent/s : Mr.Md. Khurshid Alam (AAG12)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 10-12-2019 Heard both sides.

The petitioner filed this writ petition for a direction to the respondents to restore peaceful possession of the petitioner over the land in question and take appropriate legal action against the private respondent No.9, who prevented the petitioner from cultivating the land, in the light of the order dated 28.08.2019 passed by the Sub Divisional Public Grievance Redressal Officer, Rajgir, Nalanda in complaint case



No. 527370118061901817 dated 18.06.2019, which was passed in pursuance of the order dated 01.04.2019 passed in CWJC No. 5992 of 2019.

I am of the view that this court in writ jurisdiction cannot direct the authorities to restore possession of the land of the petitioner and direct the respondent No.9 to hand over the possession of the land to the petitioner as the petitioner has purchased the land from its real owner and got his name mutated in the record of rights. The petitioner, if at all, is aggrieved by the action of the private respondent No.9 he may file petition before the appropriate authority for breach of peace and declaration of possession over the land u/s 144, 145 of the Cr. P. C. or the petitioner may file suit in the civil court of for redressal of his grievance.

Having considered the facts aforesaid, I find no merit in this writ petition and the same is, accordingly, dismissed.

(Prabhat Kumar Jha, J)

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