

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24843 of 2019

Vinay Kumar Ajad, Male, Aged about 43 years, Son of Late Padum Lal Ray,
Resident of Ward No. 14, Bariyahi, Amausi, P.S. Morkahi, District Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home, Govt. of Bihar, Patna.
2. The District Magistrate-cum-Collector, Khagaria.
3. The Superintendent of Police, Khagaria.
4. The S.D.O., Khagaria.
5. The Circle Officer, Kalauhi, District-Khagaria.
6. The S.H.O. Morkahi P.S., District-Khagaria.
7. Lalo Yadav, Son of Kiro Yadav, Resident of Belahi, Morkahi P.S.-Alauli, District-Khagaria.
8. Suresh Yadav, Son of Kiro Yadav, Resident of Belahi, Morkahi P.S.-Alauli, District-Khagaria.
9. Naresh Yadav, Son of Kiro Yadav, Resident of Belahi, Morkahi P.S.-Alauli, District-Khagaria.
10. Kiro Yadav, Son of Late Hari Lal Yadav, Resident of Belahi, Morkahi P.S.-Alauli, District-Khagaria.
11. Rajesh Yadav, Son of Kiro Yadav, Resident of Belahi, Morkahi P.S.-Alauli, District-Khagaria.
12. Pappu Yadav, Son of Lalo Yadav, Resident of Belahi, Morkahi P.S.-Alauli, District-Khagaria.
13. Daso Yadav, Son of Not Known, the resident of Village-Kamsthan, P.S. Salkhua, District-Saharsa.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar Singh
For the Respondent/s : Mr.Manish Kumar (Gp4)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 12-12-2019 Heard both sides.

The petitioner filed this writ petition for a direction to
the respondents to dispose of the representation of the petitioner
pending before the respondent no.2, District Magistrate-cum-



Collector, Khagaria, and also to direct the respondents to explain the reasons that why the respondents no.7 to 13 are in possession of the land although the petitioner purchased the land and to direct the S.H.O. of Morkahi to take appropriate action against the respondents.

From the facts stated by the petitioner in the writ petition, it appears that the respondents no.7 to 13 are in possession of the land said to have been purchased by the father of the petitioner. The petitioner seeks direction that the authority may take possession from respondents no.7 to 13 and handover the same to the petitioner. In this writ petition, the same relief cannot be granted. If the petitioner has got title over the land and he has been illegally dispossessed from the land, the petitioner may file suit for declaration of title and recovery of possession.

Having considered the facts aforesaid, I do not find any merit in this writ petition and the same is dismissed.

(Prabhat Kumar Jha, J)

S.KUMAR/-

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