

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19000 of 2018

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Mahammadin Mian Son of late Karim Mian Resident of Village- Jamalpur,
Post- Aandar, Police Station- Aandar District- Siwan.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Divisional Commissioner Saran, Chapra.
3. The District Magistrate, Siwan.
4. The Deputy Collector Land Reforms, Siwan Sadar, District- Siwan.
5. The Anchal Adhikari, Aandar, Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Raghav Prasad
For the Respondent/s : Mr.Md. Khurshid Alam- AAG-12

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 16-04-2021 This case has been taken up online because of
COVID-19 pandemic restrictions.

The petitioner has challenged an order dated 09.07.2017 passed by the Deputy Collector Land Reforms, Siwan Sadar in Miscellaneous Case No. 4 of 2017-18, whereby the petitioner's application raising his claim for restoration of his possession over the land bearing Khata No. 293, Plot No. 823 Thana No. 318 area admeasuring 4 Katha 11 dhurs has been closed since the dispute was in relation to title and possession.

It is the petitioner's case that he was in possession



over the said land, which was settled by the ex-zamindar and had been regularly paying rent and accordingly receiving rent receipts continuously. It is the petitioner's case, however, that he has been forcibly removed from the said land without even cancelling Jamabandi.

In my opinion, there is no illegality in the impugned order inasmuch as the Deputy Collector Land Reforms has noticed the nature of dispute as emerging from the report of the Circle Officer, which has been mentioned in the order, in relation to the petitioner's title and possession over the land in question.

This Court cannot go into the disputed question of possession and title in a proceeding under Article 226 of the Constitution of India.

This application stands disposed of accordingly.

The petitioner shall, however, be at liberty to approach appropriate forum for redressal of his grievance.

(Chakradhari Sharan Singh, J)

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