

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3209 of 2018

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Dayanand Singh son of Late Mathura Singh resident of Village - Makrain,
Post Office - Dalmianagar, Police Station - Dehri-on-Sone, District - Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Collector, Aurangabad.
3. The Additional Collector, Aurangabad.
4. The Sub-Divisional Public Grievance Redressal Officer, Aurangabad.
5. The Dy. Collector Land Reforms, Aurangabad.
6. The Circle Officer, Barun, Aurangabad.
7. The Officer-in-charge, Barun Police Station, Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Madhu Prasun, Adv.

For the Respondent/s : Mr. Sajid Salim Khan, SC-25.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

6 06-07-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed seeking
direction to the respondents to comply the order dated
25.04.2017 passed by Sub-Divisional Public Grievance
Redressal Officer, Aurangabad (Annexure No.5)

3. Learned counsel for the petitioner submits that
since the order dated 25.04.2017 passed by Sub-Divisional
Public Grievance Redressal Officer, Aurangabad has not been
complied, therefore, petitioner has come directly before this
Hon'ble Court.

4. Upon specific query by the Court that who is the
appellate authority in the said Statute ? learned counsel for the



petitioner fairly submits that Collector is the Appellate Authority before whom he has not preferred any appeal.

5. Learned counsel for the State submits that the land in question is the subject matter of Title Suit No.183 of 2017 between respondent and petitioner. He further submits that when the land itself is the subject matter of title suit then interfering and doing anything in the said land amounts to interference in the title suit. Learned counsel further submits that if petitioner want any relief by way of measurement or protection or interference on the said land, he ought to file the application before the competent Civil Court where this case is pending.

6. In this view of the matter, this Court is of the view that when right, title and interest of the land is the subject matter of the title suit between the petitioner and private respondent, then filing application at various places is unnecessary and, therefore, till disposal of the title suit, this Court is directing to the petitioner to file appropriate application before Civil Court.

7. In this view of the matter, the present Writ Petition stands dismissed.

(Dr. Anshuman, J.)

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