

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4415 of 2020

Subhash Chandra Singh son of late Chandramauli Singh, resident of Village and P.O. Jokia, Ward No. 01, P.S. Block and Circle Bhagwanpur, District Begusarai ... Petitioner

Versus

1. The State of Bihar through the Principal Secretary Department of Rural Development, Govt. Bihar, Patna.
2. The Collector Cum District magistrate, Begusarai.
3. The Deputy Development Commissioner, Begusarai.
4. The Sub Divisional Officer Teghra, Begusarai.
5. The Block Development officer, Bhagwanpur, Begusarai.
6. The Circle officer, Bhagwanpur, Begusarai.
7. The officer In-charge, P.S. Bhagwanpur, Begusarai.
8. The Panchayat Secretary, Gram Panchayat Jokia, P.O. Jokia P.S. Bhagwanpur, District Begusarai.
9. The Mukhiya, Gram Panchayat Raj Jokia, P.O. Jokia, P.S. Bhagwanpur, District Begusarai.

... ... Respondents

Appearance :

For the Petitioner/s : Mr.Vinay Kumar, Advocate
For the Respondent/s : Mr.Binod Kumar Sinha, AC to GP 8

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 12-12-2023 Heard learned counsel for the parties.

2.This writ application has been filed seeking direction to respondents to measure and demarcate piece of land which petitioner claims to be khatiyani land.

3. At the outset, learned counsel for the State raises preliminary objection and submits that grievance of the petitioner regarding boundary dispute falls under Section 4(1) (h) of The Bihar Land Disputes Resolution Act, 2009 which reads as:

"4. Jurisdiction and authority to resolve disputes. - (1) The Competent Authority shall have jurisdiction and authority to hear and adjudicate. on an application or complaint or on any application referred



to by a Prescribed Authority or officer, any issue arising out of following types of disputes:-

(h) Boundary disputes;"

4. Learned counsel for the petitioner does not dispute the above proposition.

5. In the above view of the matter, this Court is not inclined to interfere in the matter in its extra-ordinary writ jurisdiction. Grievance of the petitioner relates to boundary dispute which falls under Section 4(1)(h) of the Bihar Land Disputes Resolution Act, 2009. Petitioner has statutory alternative remedy available which he can avail in accordance with law.

6. Petitioner shall be at liberty to seek remedy before the competent authority as may be available to him in accordance with law.

7. It goes without saying that if any question of limitation arises before the competent authority, the same shall be considered, taking into consideration the fact that the petitioner was pursuing the issue before this Court under Article 226 of the Constitution of India.

8. This writ petition is accordingly disposed of with the aforesaid observations.

(Prabhat Kumar Singh, J)

Shashi

U			
---	--	--	--

