

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21575 of 2014

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Md. Ziyaul Haque son of Md. Abbas Resident of village - Karmed Tole
Kamalpur, P.S. Laukaha, District - Madhubani

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Deputy Collector of Land and Revenue, Phulparash, District - Madhubani
3. The Circle Officer, Khutauna, District - Madhubani
4. Md. Nezamuddin
5. Md. Basir
6. Md. Safi Respondent Nos. 4 to 6 are sons of Late Md. Nazir Miyan residents of village - Karmedh Tole Kamalpur, P.S. Laukaha, District - Madhubani

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Adv.
For the Respondent/s : Mr. Ravi Bhardwaj, AC to GA-13

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 06-07-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

The present writ petition has been filed for
implementation of order dated 22.01.2013 passed by the
Collector in Demarcation Appeal No. 25 of 2010-11.(Annexure-
4)

Counsel for the petitioner submits that initially, he has
filed an application for measurement of land of Mauza-
Karmedh Tole Kamalpur's appertaining to Khata No. 1284,
Khesara No. 6366, measuring an area of 4 Kathas and 16 Dhurs
but during pendency of this writ petition, the question of
measurement of land as well as question of illegal and

unauthorized construction has also been arisen in his matter.

Counsel for the State submits that there is no illegality in the order dated 22.01.2013 as by the said order, the Collector has directed the petitioner to avail his remedy before the appropriate forum i.e. under Section 4(1) of Bihar Land Disputes Resolution Act, 2009 (Bihar Act 4 of 2010).

Upon perusal of Section 4(1)(i) of this Bihar Land Disputes Resolution Act, 2009, this Court is of the view that Deputy Collector Land Reforms is the Competent Authority to look into the matter and as such there is no illegality present in the said order.

As such petitioner is directed to file an application under Section 4(1)(i) of Bihar Land Disputes Resolution Act, 2009 (Bihar Act 4 of 2010) and authority under Bihar Land Disputes Resolution Act, 2009 is directed to pass a reasoned order within 60 days from the date of completion of the appearance of the parties.

With this direction, the present writ application is hereby disposed off.

(Dr. Anshuman, J.)

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