

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 3835 of 2023

=====

Ayodhya Mallah S/o Late Sukhdas Mallah R/o Village Chaheriya, P.S.-
Durgawati, District- Kaimur at Bhabhua.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector cum District Magistrate, Kaimur at Bhabua.
2. Additional Collector, Kaimur at Bhabua.
3. Deputy Collector of Land Reforms (D.C.L.R.), Mohania (Kaimur).
4. Circle Officer, Durgawati, Kaimur at Bhabua.
5. Anil Mallah, Son of Jagardev Mallah Resident of Village Chaheriya, P.O.- Chaheriya, P.S.- Durgawati, District- Kaimur at Bhabua.
6. Rajesh Mallah, Son of Haridwar Mallah Resident of Village Chaheriya, P.O.- Chaheriya, P.S.- Durgawati, District- Kaimur at Bhabua.
7. Haridev Mallah, Son of Late Shankar Mallah Resident of Village Chaheriya, P.O.- Chaheriya, P.S.- Durgawati, District- Kaimur at Bhabua.
8. Harihar Mallah, Son of Late Shankar Mallah Resident of Village Chaheriya, P.O.- Chaheriya, P.S.- Durgawati, District- Kaimur at Bhabua.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Tribhuwan Narayan, Adv.
For the Respondent/s	:	Mr. Rishi Raj Sinha (Sc19)

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 31-07-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ application has been filed directing the respondent no. 4 to remove the encroachment of private respondent 2nd set from the land of the petitioner which was settled to the landless petitioner vide Land Settlement Case No. 06/1982-83.

3. Learned counsel for the State submits that there is a

special law framed which deals such types of situation and *i.e.* the Bihar Land Disputes Resolution Act, 2009, [Bihar Act 4 of 2010].

4. In this view of the matter, in case of threatened dispossession/ dispossession, there is a special law *i.e.* the Bihar Land Disputes Resolution Act, 2009 has to function.

5. As such, the present writ application is disposed off directing the petitioner to approach under the Bihar Land Disputes Resolution Act, 2009 before the appropriate forum.

(Dr. Anshuman, J.)

sadique/-

U			
---	--	--	--