

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9658 of 2021

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Ram Udgar Thakur @ Ramudgar Thakur Son of Late Vishundev Thakur,
Resident of Village-Narayan Pipar, Post Office-Pansalla, Police Station-
Khodabandpur (Chhaurahi), District-Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue Department, Government of Bihar, Patna.
2. The Divisional Commissioner, Munger Division, Munger.
3. The Collector Cum District Magistrate, Begusarai.
4. The Sub Divisional Magistrate, Manjhaul, District-Begusarai.
5. The Block Development Officer, Chhaurahi Block, District-Begusarai.
6. The Circle Officer, Chhaurahi Block, District-Begusarai.
7. The Principal Secretary, Environment and Forest Department, Government of Bihar, Patna.
8. The District Forest Officer, Begusarai
9. The Range Officer, Forest Department, Begusarai.
10. The Principal Secretary, Department of Animal Husbandry, Dairying and Fisheries (DADF), Government of Bihar, Patna.
11. The District Fishery Officer, Begusarai.
12. Chandan Sahani, Son of Suresh Sahani Residents of Village-Narayan Pipar, Post Office-Pandalla, Police Station-Khodabandpur (Chhaurahi), District-Begusarai.
13. Ram Shankar Prasad Singh @ Ram Balak Singh Son of Late Pramod Prasad Singh Resident of Village-Narayan Pipar, Post Office-Pansalla, Police Station-Khodabandpur (Chhaurahi), District-Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Ms. Sanjana
For the Respondent/s : Mr. Sajid Salim Khan (Sc25)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 12-12-2023 Heard learned counsel for the parties.

2. This writ application has been filed for issuance of
direction to respondent authorities not to interfere in the
peaceful possession of the petitioner and to pay compensation to



the petitioner for damaging the land appertaining to Mauza-Narayan Pipar, Thana No. 117, Touzi No. 1105, Khata No. 366, Khesra No. 1610, Area 1 Katha which was given to the petitioner on the basis of Basgit Parcha Case no. 02 of 2005-2006.

3. Learned counsel for the State raises preliminary objection to the effect that petitioner has got statutory alternative remedy by way of filing application before the L.R.D.C. in terms of Section 4(1)(a) 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:-

(a) Unauthorised and unlawful dispossession of any settlee or allottee from any land or part thereof, settled with or allotted to him ¹[Or under any Act or policy of the State or Central Government providing for settlement of Government land to the persons of any specified category.] under any Act contained in Schedule-I to this Act by issuance of any settlement document/parcha by a Competent Authority;”

4. Learned counsel for the petitioner does not dispute the above proposition. However, he requests for disposal of the writ petition granting liberty to the petitioner to seek remedy before the appropriate forum as may be available to them in



accordance with law.

5. In the above view of the matter, this Court is not inclined to interfere in the matter in its extra-ordinary writ jurisdiction.

6. Petitioner shall be at liberty to seek remedy before the appropriate forum as may be available to him in accordance with law within a period of six weeks from today.

7. In the event petitioner seeks remedy before the appropriate forum within the stipulated time period, the authority concerned shall dispose of the same after hearing the parties in accordance with law, preferably, within a period of six months from the date of filing of such application.

8. 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.

9. Writ petition stands disposed of with the aforesaid observations.

(Prabhat Kumar Singh, J)

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