

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5447 of 2016

=====

Raj Narayan Giri S/o Late Ramchandra Giri, Resident of Village- Akauna,
P.O.- Chorma, P.S.- Pakrideal, District- East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Collector, Motihari, East Champaran.
3. Land Reforms Deputy Collector, Pakridayal, East Champaran.
4. Circle Officer, Pakrideyal Block, East Champaran.
5. Ram Balak Giri Son of Late Satya Narayan Giri
6. Shiv Pujan Giri son of Late Satya Narayan Giri
7. Aas Dev son of Late Khuba Giri All respondents No.- 5,6,7, are resident of Village- Akauna, P.O.- Chorma, P.S.- Pakrideyal District- East Champaran.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar No.III
For the Respondent/s	:	Mr. S.K.Mandal SC 03
Respondent No. 5 , 6, 7	:	Rajesh Kumar , Advocate Pravin Kumar , Advocate

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-12-2023 Heard learned counsel for the parties.

2. This writ petition has been filed for the issuance of directions to respondent authorities to hold enquiry in respect of Jamabandi No. 92 and 93 to verify the name of the petitioners which has been fraudly been named as Satya Narayan Giri and Khuba Giri in Jamabandi No. 93 who are fathers of respondent No. 5 , 6 and 7 whereas earlier Jamabandi No. 93 was running in the name of Gobind Giri who was grandfather of the petitioner.



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) (f) 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:-

(f) Correction of entry made in the record of rights including map/survey map.

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 falls under Section 4(1) (f) 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 appropriate forum 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)

Koushik/-

U			
---	--	--	--

