

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7003 of 2015

1. Kishori Mahto
2. Kashi Nath Mahto Both are son of Late Satya Narain Koiri resident of Village- Langar Kakai, P.O. Dumari, P.s Chenari, District Rohtas.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Collector, Rohtas
3. The Deputy collector, Land Reforms, Rohtas.
4. The Circle Officer, Chenari
5. Uma Shankar Tiari son of late Fulena Tiwari resident of Village- Langar Kakai, P.O. Dumari, P.S. Chenari, District Rohtas.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Raghwanand, Adv. Mr. Prabhat Kumar, Adv. Mr. Sanjay Kr. Tiwari, Adv.
For the Respondent/s	:	Mr. Sajid Salim Khan, SC-25 Mr. Arif Daula Siddiqui, AC to SC-25

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 12-07-2023

Heard learned counsel for the petitioners and
learned counsel for the State.

2. The present writ application has been filed for challenging the order dated 05.12.2013 passed by the D.C.L.R., Sasaram in connection with Land Dispute Case No. 89 of 2013-14/ Chenari.

3. Learned counsel for the petitioners submit that by virtue of this order, the Court of D.C.L.R., Sasaram has decided title which is beyond his competence and, therefore, he

requires interference in the said order and filed this writ petition directly without availing the remedy of appeal.

4. Mr. Arif Daula Siddiqui, learned AC to SC-25 appeared on behalf of the State and submits that the statutory remedy is already available under the Act, therefore, the petitioners ought to avail their remedies.

5. Upon going through the pleadings and hearing the arguments of the parties, it appears to the Court that since, there is a statutory remedy available under the Act, the petitioners ought to avail the said remedy under Section 14 of the Bihar Land Disputes Resolution Act, 2009, [Bihar Act 4 of 2010] before the Divisional Commissioner, Patna Division.

6. With this observation, the present writ application stands disposed off granting liberty to the petitioners to file appeal before the Divisional Commissioner, Patna Division in accordance with law and if, there is delay in filing the appeal, it is hereby condoned.

(Dr. Anshuman, J.)

sadique/-

AFR/NAFR	NAFR
CAV DATE	NA
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