

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18035 of 2015

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Ram Prasad Sah Son of Late Surati Sah R/o village - Bhawanipur Circle Tola,
P.S. Bhawanipur, P.O. Bhawanipur, Sub - Division Dhamdaha, District -
Purnea

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director, Land Reforms Department, New Secretariat, Patna
3. The Commissioner, Purnea Division, Purnea
4. The District Collector, Purnea
5. The Deputy Collector, Land Reforms, Dhamdaha, Purnea
6. The Sub - Divisional Officer, Dhamdaha, District - Purnea
7. The Circle officer, Bhawanipur Circle, Sub - Division Dhamdaha, District - Purnea
8. Dev Nandan Sah Son of Late Babu Lal Sah R/o village - Makandpur Singhee P.O. Gopalpur, P.S. Gopalpur, District - Bhagalpur
9. Ratan Kumar Sah Son of Late Babu Lal Sah R/o village - Makandpur Singhee P.O. Gopalpur, P.S. Gopalpur, District - Bhagalpur
10. Dilip Kumar Sah Son of Late Babu Lal Sah R/o village - Makandpur Singhee P.O. Gopalpur, P.S. Gopalpur, District - Bhagalpur
11. Makhan Lal Sah Son of Dhoulu Sah R/o village - Bhawanipur Circle Tola , P.O. Bhawanipur, P.S. Bhawanipur, District - Purnea

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar, Adv.
For the Respondent/s : Mr. Yogendra Pd. Sinha, AAG15

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 05-09-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed against the
order dated 30.04.2015 passed in B.L.T. Case No. 542 of 2014.

3. Counsel for the petitioner submits that the said
order is bad in law as after measurement of land, it is clear that

2 Decimal 256 Square Kadi land of the petitioner has been encroached by the respondents for restoration of the encroached land, the petitioner filed Case No. 523 of 2012-13 before the Deputy Collector Land Reforms, Dhamdaha in which all parties attended the meeting and the concerned person was ready to pay Rs. 1,20,051/- (One Lakh Twenty Thousand and Fifty One Rupees only), but later refused. Now, the petitioner subsequently wants restoration of his land as a condition has been flouted by the parties.

4. Counsel for the petitioner further submits that refusal to non-entertainment of this case by the Bihar Land Tribunal is bad in law.

5. Counsel for the State submits that the restoration of land or money can be made only by the competent civil court.

6. In this view of the matter, the present writ application stands disposed of granting liberty to petitioner to avail his remedy before the competent civil court.

(Dr. Anshuman, J.)

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