

Bimal Kishore Prasad Son of Late Gopal Prasad Resident of Mohalla - New
Godown P.S. Kotwali, District - Gaya

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate Cum Collector, Gaya
3. The Deputy Collector Land Reforms, Sherghati, District Gaya
4. The Circle officer, Dobhi, office of the Circle officer, Dobhi, District - Gaya

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rina Sinha, Adv.
: Mr. Dharendra Pd. Sinha, Adv.
For the Respondent/s : None.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 22-08-2023 Learned counsel for the petitioner is present,
however, no one appeared on behalf of the counsel for the State.

2. The present writ petition has been filed directing the respondents to fix the rent and grant receipts to the petitioner for his land appertaining to Khata No. 230 (old) 577 (new) Plot No. 43 (old) 224, 2181, 2168, 2167 (new) admeasuring area 5 Bigha equivalent to 3.74 Acres Tauji No. 4440 P.S. No. 807 situated Mauja- Bajaura Paragana Sherghati District- Gaya.

3. Counsel for the petitioner submits that the Title Suit No. 24 of 2007 / 07 of 2009 was filed by the petitioner against the State of Bihar and *Anchal-Adhikari*. Counsel further submits that a decree was passed in favour of the petitioner and,

thereafter, representation was filed before the Circle Officer, Dobhi, Gaya for fixation of rent.

4. Since the Title Suit No. 24 of 2007 / 07 of 2009 has been decided in favour of the petitioner who was plaintiff in the said title suit, then the remedy lies to the petitioner by way of filing execution petition before the executing court and not before the High Court for filing the writ petition.

5. As such, this writ petition stands disposed of directing the petitioner to avail remedy by way of filing execution case before the competent civil court for execution of the said case.

6. From the record, it transpires that an I.A. No. 01 of 2022 has been filed by intervenor to add him as party respondent, but the counsel for the intervenor does not want to press the said I.A.. As such, the I.A. No. 01 of 2022 has been dismissed as not pressed.

7. With this aforesaid direction, this writ petition is disposed of.

(Dr. Anshuman, J.)

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