

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9210 of 2020

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Bhavnath Jha, Son of Sitanath Jha @ Lalbabu, resident of Village Satlakha,
P.S. - Rahika, District - Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Revenue and Land Reforms Bihar, Patna.
2. The Divisional Commissioner Darbhanga Division Darbhanga.
3. The District Magistrate cum Collector Madhubani.
4. The Deputy Collector Land Reforms, Sadar Madhubani.
5. Badri Nath Jha Son of Late Birbhadra Jha resident of Village Satlakha P.S. Rahika District Madhubani.
6. The Kalyanjee Jha @ Nagendra Nath Jha Son of Badrinath Jha resident of Village Satlakha P.S. Rahika District Madhubani.
7. Ravindra Nath Jha Son of Badrinath Jha resident of Village Satlakha P.S. Rahika District Madhubani.
8. Dharendra Nath Jha Son of Badrinath Jha resident of Village Satlakha P.S. Rahika District Madhubani.
9. Suman Kumar Jha Son of Late Amar Nath Jha resident of Village Satlakha P.S. Rahika District Madhubani.
10. Anand Jee Jha Son of Late Amar Nath Jha resident of Village Satlakha P.S. Rahika District Madhubani.
11. Kundan Kumar Jha Son of Late Barun Kumar resident of Village Satlakha P.S. Rahika District Madhubani.
12. Nandan Kumar Jha Son of Late Barun Kumar resident of Village Satlakha P.S. Rahika District Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr. Ratanakar Jha, Advocate
For the State	:	Mr. Raj Kishore Roy, GP-18
For Respondent Nos.5-11:	:	Mr. Shekhar Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 28-11-2023

1. Heard learned counsels for the parties.

2. This writ application has been filed for the

following reliefs:-



“(I) To issue an appropriate order/s, direction/s including a writ preferably in the Nature of Certiorari for quashing the order dated 06-10-15 passed in Land Dispute Appeal No. 256 of 2013 passed by the learned Divisional Commissioner, Darbhanga Division, Darbhanga whereby and whereunder he has dismissed the said case filed by petitioner’s brother with regard to a land measuring 2 dec appertaining to Khesra No. 3094(old), 5117 (new) situated in Mauza Hussainpur, P.S. Rahika, District Madhubani and affirmed the other order dated 23-03-13 passed in Land Dispute Case No. 184/2012-13 passed by the D.C.L.R. Sadar Madhubani by which he is directed to demarcate measure and restore the physical structure of way.

(II) To quash the order dated 23-03-13 passed in Land Dispute Case No. 184/12-13 by the D.C.L.R. Sadar, Madhubani allowing the same in favour of the private Respondent No. 06.

(III) To any other relief/s to which the petitioner may be found entitled in the facts and circumstances of the case.”

3. There is no dispute that petitioner has got alternative statutory remedy before the Bihar Land Tribunal against the order impugned.

4. There is no justification coming forth as to why this writ application be maintained inspite of alternative statutory remedy available to the petitioner against the impugned order.



5. Considering the aforesaid facts and circumstances, this writ application is disposed of with liberty to the petitioner to seek remedy before the appropriate forum as may be available in accordance with law.

(Prabhat Kumar Singh, J)

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