

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10106 of 2021

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Lal Babu Pandit Son of Nanki Pandit Permanent Resident of Village-
Bhagwanpur Kamla, P.S.- Ujiarpur, District- Samastipur, At present resident
of Gopinagar Khamirchandi, Dist. Hooghly, West Bengal ... Petitioner
Versus

1. The State of Bihar Through the Chief Secretary, Govt. of Bihar, Patna.
2. The Chief Secretary Land Reforms and Revenue Department, Govt. of Bihar, Patna.
3. The District Magistrate Samastipur.
4. The Sub Divisional Officer Teghra, Begusarai.
5. The Deputy Collector of Land Reforms Dalsingsarai, Samastipur.
6. The Circle Officer Ujiarpur, Samastipur.
7. The Circle Inspector Ujiarpur, Samastipur.
8. The Revenue Halka Karamchari Ujiarpur, Samastipur.
9. Ram Chalitra Mahto Son of Late Bhajan Mahto Resident of Village-
Bhagwanpur Kamla, P.S.- Ujiarpur, District- Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Kumar Praveen, Advocate
For the Respondent/s : Mr. Saurabh Kumar, AC to SC 19

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 07-12-2023

Heard learned counsel for the parties.

2. This writ petition has been filed for direction to respondent authorities to measure and demarcate the land of the petitioner as mentioned in paragraph 1(A) of the writ petition, which the petitioner claims to have purchased by way of a registered sale deed no. 7718 dated 16.6.2008.

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) (h) 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:- (h) Boundary disputes;"

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 relates to boundary dispute which falls under Section 4(1)(h) 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 authority 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)

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