

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6723 of 2023

=====

Sunil Kumar Son of Late Yamuna Prasad, Residing at Kudra Jahanabad, P.S.-
Kaimur, District- Bhabhua.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and land Reforms Department, Bihar, Patna.
2. The District Magistrate, Rohtas.
3. The Superintendent of Police, Rohtas.
4. The Sub Divisional Officer, Sasaram, Rohtas.
5. The Sub Divisional Public Grievance Redressal Officer, Sasaram, Rohtas.
6. The Circle Officer, Chenari, Rohtas.
7. The Officer-in-Charge, Chenari Police Station, Chenari, Rohtas.
8. Sri Lalan Sah Son of Late Kesha Sah, Member of Sanatan Samiti, Resident of Village- Pewandi, Chenari, District- Rohtas.
9. Sri Bechan Sah Son of Banarsi Sah, Member of Sanatan Samiti, Resident of Village- Pewandi, Chenari, District- Rohtas.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Lal Mani Sharma, Adv.
For the Respondent/s : Mr. Rishi Raj Sinha, (SC-19)

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-09-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. Learned counsel for the petitioner submits that the
land appertaining to Khata No. 134, Khesra No. 449, Revenue
P.S. No. 475, Area 1 acre 49 decimal of *Mouza-* Banauli under
Pewandi *Panchayat* belongs to the petitioner on which illegal
construction is being made by the private respondents.

3. Learned counsel for the petitioner further submits

that the measurement of land of the petitioner has taken place and he needs restoration of possession of his land.

4. Learned counsel for the State raised preliminary objection and submits that the possession of restoration is permissible only under the Bihar Land Disputes Resolution Act, 2009, [Bihar Act 4 of 2010] (hereinafter referred to as ‘the Act of 2009’) and, therefore, the petitioner shall be at liberty to file application before the Deputy Collector Land Reforms under the Act of 2009.

5. In this background, the present writ application is disposed of directing the petitioner to avail his remedy before the Deputy Collector Land Reforms, Sasaram, District- Rohtas under the Act of 2009 adding all the concerned as party.

(Dr. Anshuman, J.)

sadique/-

U			
---	--	--	--