

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16119 of 2015

- 1.1. Abhijeet Kumar S/o Late Ramjee Sharma R/o Mohalla Horilganj, P.S. Jehanabad, District- Jehanabad.
- 1.2. Parbhat Gautam S/o Late Ramjee Sharma R/o Mohalla Horilganj, P.S. Jehanabad, District- Jehanabad.
2. Vaidehi Devi, Wife of Ramjee Sharma @ Ramjee Prasad Singh, Resident of Village- Deora, Police Station- Ghoshi, District- Jehanabad.
3. Rekha Kumari, Wife of Rajeev Ranjan, Resident of Village- Deora, Police Station- Ghoshi, District- Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Secretary, Department of Rural Engineering Organization, Government of Bihar, Patna.
3. The District Magistrate, Jehanabad.
4. The Deputy Collector, Land Reforms, Jehanabad.
5. The Deputy Development Commissioner, Jehanabad.
6. The Sub- Divisional Magistrate, Jehanabad.
7. The Block Development Officer, Modanganj (Ghoshi), District- Jehanabad.
8. The Circle Officer, Modanganj (Ghosi), District- Jehanabad.
9. IRCON Construction Company Ltd., through its Manager, Block Colony, Jehanabad.
10. Nagendra Yadav @ Narendra Yadav, Ex- Mukhiya, Gram Panchayat Deora, P.S. Ghosi, District- Jehanabad.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rajendra Prasad, Adv.
For the Respondent/s : None

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 18-09-2023 Heard learned counsel for the petitioners, however, no one appears on behalf of State.

2. The present writ petition has been filed challenging the order dated 12.08.2014 passed by District Magistrate,



Jehanabad in compliance of order dated 16.02.2012 passed in C.W.J.C. No.6258 of 2007.

3. Learned counsel for the petitioners submits that the recommendation of Circle Officer and Deputy Collector, Land Reforms are in favour of petitioners but the District Magistrate has completely ignored the same and passed the order.

4. It transpires to this Court from the records of the case and upon hearing the argument that petitioner has moved before this Court in C.W.J.C. No.5612 of 2004 which was disposed of on 23.11.2004 but after non-settlement of his grievance, petitioner again filed C.W.J.C. No.6258 of 2007 which was disposed of on 16.02.2012. Subsequently the petitioner has moved in contempt proceeding bearing M.J.C. No.4661 of 2013 which was disposed of on 03.11.2014 with liberty to raise his grievances before appropriate forum and thereafter the petitioner has challenged the order passed by the District Magistrate, Jehanabad.

5. From the order passed by the District Magistrate, Jehanabad, it transpires to this Court that he has passed a reasoned order but for the purpose of adjudicating the case it is necessary to look after the entire documents which is not possible for the writ court to appreciate and it can be possible



only by a court of competent Civil Court.

6. In this view of the matter, petitioners are directed to take recourse challenging the order passed by the District Magistrate, Jehanabad and subsequently to declare their title on the lands in question which has already been discussed in the order passed by the District Magistrate, Jehanabad before the competent Civil Court.

7. With this observation and direction, the present Writ Petition stands disposed off.

(Dr. Anshuman, J.)

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