

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10337 of 2023

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Valmiki Singh @ Balmiki Singh S/o Late Prithvinath Singh, Resident of
Village- Mahna, P.O. Bhagwanpur Hat, P.S. and District Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Old Secretariat, Bailey Road, Patna.
2. The Collector, Siwan.
3. The Deputy Collector Land Reform, Maharajganj, District Siwan.
4. The Sub-Divisional Officer, Maharajganj, District Siwan.
5. The Circle Officer, Bhagwanpur, District Siwan.
6. Anil Sah, Son of Late Ramnath Sah, Resident of Village - Mahna, P.O. Bhagwanpur Hat, P.S. and District Siwan.
7. Lalmati Kunwar, Wife of Late Ramnath Sah, Resident of Village - Mahna, P.O. Bhagwanpur Hat, P.S. and District Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Brajesh Kumar Singh, Advocate
		Mr. Sumit Kumar , Advocate
For the Respondent/s	:	Mr. Rishi Raj Sinha (Sc19)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 14-12-2023 Heard learned counsel for the parties.

2. This writ petition has been filed for direction to the respondent authorities especially the Circle Officer and the Officer-in-Chargew of the bhagwanpur Hat Police Station to deliver the possession of the petitioner in compliance of the order dated 25.11.2013 passed by The Deputy Collector of Land Reforms, Maharajganj, Siwan .

3. At the outset, learned counsel for the State raises preliminary objection to the effect that petitioner has got



alternative statutory remedy under Section 15 of The Bihar Land Disputes Resolution Act, 2009 which reads as:

15. Execution of the order passed by the competent authority.- The competent authority shall execute the order passed by him subject to order, if any, passed in appeal. Provided that if no appeal is filed within the prescribed period he shall proceed to execute the said order either himself or authorise any other officer or employee to execute the same.

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 falls under Section 15 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 forum 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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