

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9622 of 2023

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Kailash Kumar Son of Late Narayan Pandit Resident of Village Ramganj,
P.O.- Sansarpur, P.S.- Muffasil, District- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Collector, Khagaria.
3. The Commissioner, Munger, Bihar.
4. The Director, Agriculture Department, Bihar, Patna.
5. The In-charge Officer, District Revenue Branch, Khagaria.
6. The District Agriculture Officer, Khagaria.
7. The Public Information Officer, Khagaria.
8. The First Appellate Officer cum Additional Collector, Khagaria.
9. The District Land Acquisition Officer, Khagaria.
10. The Circle Officer, Khagaria.
11. The Officer-in-Charge of Khagaria Muffasil, Khagaria.
12. The Executive Engineer, Rural Work Department, Work Division, Khagaria.
13. The Executive Engineer, Path Nirman Bibhag, Path Pramandal, Khagaria.
14. The Managing Director, Deshratna Dr. Rajendra Prasad Dugdh Utpadak Sahkari Sangh Ltd., Barauni Dairy, Begusarai.
15. The Nodal Officer, Deshratna Dr. Rajendra Prasad Dugdh Utpadak Sahkari Sangh Ltd., Barauni Dairy, Begusarai.
16. The Officer-in-Charge, Deshratna Dr. Rajendra Prasad Dugdh Utpadak Sahkari Sangh Ltd., Barauni Dairy, Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Mrityunjay Kumar,Advocate
For the Respondent/s	:	Mr.Raghwanand (GA-11)
		Mr.Sanjay Kr. Tiwari, AC to GA-11

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-12-2023 Heard learned counsel for the petitioner and State.

2. This writ application has been filed for commanding the respondents to measure and demarcate the land of the petitioner, which, petitioner claims to have purchased



through registered sale-deed.

3. Learned counsel for the State raises preliminary objection to the effect that petitioner has got statutory / alternative remedy by way of filing application before the L.R.D.C., Khagaria. Learned State counsel further submits that grievance of the petitioner relates to boundary dispute, which has been enumerated in Section 4(1)(h) of the Bihar Land Disputes Resolution Act, 2009, which reads as follows:

“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. However, he requests for disposal of the writ application granting liberty to the petitioners to seek remedy before the appropriate forum i.e. L.R.D.C., Khagaria, as may be available to him, in accordance with law.

5. If such application is filed before the competent authority / L.R.D.C., Khagaria within a period of six weeks from today, the same shall be disposed of after hearing the parties in accordance with law preferably within a period of six



months from the date of filing of such application.

6. 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.

7. Writ petition stands disposed of with the aforesaid observations and directions.

(Prabhat Kumar Singh, J)

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