

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2914 of 2018

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Tanveer Ahmad Son of Abdul Muvin Resident of Village - Shekh Bahuara,
Police Station - Kochas, District - Rohtas.

... .. Petitioner/s

Versus

1. The State Of Bihar through the District Settlement Officer at Bhabhua (Kaimur).
2. The District Chakbandi Officer at Bhabua Kaimur.
3. Deputy Director Chakbandi, Bhabua Kaimur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Ms. Anjum Perveen, Advocate Mr. Syed Arshad Alam, Advocate Mr. Ajoy Kumar, Advocate
For the Respondent/s	:	Mr. Rishi Raj Sinha, SC-19
For the State	:	Mr. Manoj Kumar Sinha, AC to SC-19

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 16-02-2023 Heard learned counsel for the parties.

The petitioner has filed the instant application for the
following relief(s):-

“(i) Direction may be issued to remove the encroacher from the petitioner's land.

(ii) To issue a direction to correct the name in the Khatian on the basis of 1910 Khatian.

(iii) To issue a directions to the authority to hear the petitioner before issuing direction against him.

(iv) To issue a direction as well as writ of mandamus to the authority to remove the illegal encroacher from the land who are neither entitle over the land nor their name are in the Khatian of 1910.

(v) For issuance of any other appropriate writ, order or direction, which your Lordships may deem fit and



proper in the facts and circumstances of the case.”

At the outset, a preliminary objection is raised by learned counsel for the State to the effect that the petitioner has an alternate and efficacious remedy by preferring an application under the Bihar Land Tribunal Act, 2009.

Having heard learned counsel for the parties, the Court is of the opinion that the petitioner has an alternate and efficacious remedy by filing an application before the tribunal constituted under the Bihar Land Tribunal Act, 2009.

The application stands disposed of with liberty to the petitioner to move an appropriate application for the relief prayed for herein before the tribunal constituted under the Bihar Land Tribunal Act, 2009.

(Partha Sarthy, J)

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