

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17723 of 2022

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Heera Lal Prasad, Son of Late Shobha Prasad, Resident of Village-Sunsariya,
P.O. Sunsariya, Police Station-Bettiah Mufassil, District-West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, West Champaran, Bettiah.
2. The Collector Cum District Magistrate, Bettiah, West Champaran.
3. The Land Reforms Deputy Collector, Bettiah, West Champaran.
4. The Circle Officer, Nautan, West Champaran.
5. Dhruv Sah, Son of Late Indrasan Sah @ Jnardan Sah, Resident of Village-Sunsariya, P.O. Sunsariya, Police Station-Bettiah Mufasil, District-West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ram Kishun Prasad, Advocate
For the Respondent/s : Mr.Rishi Raj Sinha (SC19)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 01-08-2023

Heard learned counsel for the petitioner and learned
counsel for the State.

2.The present writ petition has been filed for directing
the respondents to execute the order dated 03.02.2011 passed by
the respondent No.3, namely, the Land Reforms Deputy
Collector, Bettiah, West Champaran passed in Miscellaneous
Case No. 05/10-11 under the Bihar Land Disputes Resolution
Act, 2009 (Act 4 of 2010) (hereinafter referred to as ‘the Act of
2009’).



3. Learned counsel for the petitioner submits that the order passed in Miscellaneous Case No. 05/10-11 under the Act of 2009 was in favour of the petitioner and its execution is necessary. The petitioner has filed several representations to execute the said order, but no decision has been taken on the representation of the petitioner till date.

4. Learned counsel for the State submits that power of execution of the order passed in the Bihar Land Dispute Resolution Case is vested in Sections 15 and 16 of the Act of 2009 and in view of the said provisions, the petitioner ought to have approached the competent authority for redressal of his grievances, but even then the petitioner has preferred the writ petition.

5. Upon going through the pleadings and the position of law, it is clear that Sections 15 & 16 of the Act of 2009 clearly states about the execution of the order passed by the competent authority, i.e. Bihar Land Dispute Land Resolution, therefore, the remedy lies for the petitioner is to take recourse of law.

6. As such, this writ petition is disposed of with a direction to the petitioner to avail his remedy in accordance with law as laid down in the Act of 2009 by way of filing fresh



representation along with a copy of this order within a period of four weeks from today.

7. It is expected from the competent authority under the Act of 2009 that he shall do the needful within a period of eight week from the date of filing of fresh representation by the petitioner in this matter.

8. With the above observation and direction, the writ petition stands disposed of.

(Dr. Anshuman, J)

Ashwini/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	03.08.2023
Transmission Date	NA

