

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6970 of 2018

1. Ajit Kumar Singh, Son of Late Nageshwar Singh.
2. Raju Singh, Son of Late Nageshwar Singh.
3. Ashish Kumar, Son of Munna Singh.
4. Lakki Devi, W/o Shri Ajit Singh.
5. Munni Devi, W/o Raju Singh, All 1 to 5 are resident of Sakin- Bastipur, P.O.- Manikpur, Police Station- Indrapuri, District- Rohtas.

... .. Petitioner/s

Versus

1. The State Of Bihar through Principle Secretary Revenue and Land Reforms, Govt. of Bihar, Patna.
2. The District Magistrate, Rohtas.
3. The Deputy Collector Land Reforms, Dehri, District- Rohtas.
4. Ram Rati Kuer, W/o Late Kameshwar Singh, resident of village- Sakhara, Police Station- Rajpur, District- Rohtas, at present C/o Sri Gopal Singh, resident of Village- Bastipur, P.O.- Manikpur, Police Station- Indrapuri, District- Rohtas.
5. Pammi Devi, W/o Shri Raju Singh, resident of Village- Bastipur, P.O.- Manikpur, Police Station- Indrapuri, District- Rohtas.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Prasad Singh, Advocate
For the Resp-State	:	Mr. Dhurjati Kumar Prasad, GP-14
For Resp Nos. 4 and 5	:	Mr. Priyajit Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 05-09-2024 Heard Mr. Jitendra Prasad Singh, learned counsel for the petitioner, Mr. Dhurjati Kumar Prasad, learned counsel for the State and Mr. Priyajit Pandey, learned counsel for respondents no. 4 and 5.

2. The petitioner is aggrieved by the order dated 12.03.2018 passed by the Deputy Collector Land Reforms, Dehri, whereby while exercising the power under Section 4 of



the Bihar Land Dispute Resolution Act, 2009 (for short 'the Act, 2009'), he passed an order of injunction restraining the petitioner from interfering in the possession of respondent no.4.

3. Learned counsel for the petitioner vehemently contended that the order under challenge is wholly without jurisdiction and the dispute which has been raised before the DCLR, Dehri, does not fall within six Acts of Schedule-1 of the Act, 2009.

4. On the other hand, learned counsel for the State as well as learned counsel for the private respondent countering the submission of the petitioner submitted that the petitioner has expeditious statutory remedy before the Commissioner under Section 14 of the Act, 2009.

5. This Court is conscious of the fact that though the point of jurisdiction has been raised before this Court, however, the same can also be adjudicated by the Commissioner while exercising the jurisdiction under Section 14 of the Act, 2009.

6. In view thereof, the writ petition stands disposed of with a liberty to the petitioner to approach before the Commissioner under Section 9 of the Act, 2009, preferably within a period of four weeks from today.

7. In case, the petitioner files a proper appeal before



the Commissioner, the same shall be considered and disposed of in accordance with law within a period of three months thereafter.

8. Suffice it to say that the matter before this Court is pending since 2018, while considering the prayer for delay, the respondent authorities shall look into the matter sympathetically.

(Harish Kumar, J)

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