

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10741 of 2018

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Ram Pravesh Ram @ Ram Pravesh Singh S/o Late Ram Gulam Ram, R/o Village- Chauram, P.O.- Tarari, P.S.- Daud Nagar, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar and Ors.
2. The District Magistrate, Aurangabad, Bihar.
3. The Sub-Divisional Officer, Aurangabad, Bihar.
4. The DCLR, Daud Nagar, Aurangabad, Bihar.
5. The Circle Officer, Daud Nagar, Aurangabad, Bihar.
6. Gupteshwar Singh, S/o Late Ram Chalitra Singh, R/o Village- Chauram, P.O.- Tarari, P.S.- Daud Nagar, District- Aurangabad, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Lal Bahadur Singh, Adv.
For the Respondent/s : Mr. Subhash Chandra Yadav- GP15

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 29-10-2024 In the instant petition, petitioner has prayed for following relief(s):-

“For issuance of appropriate writ/writs, order/orders or direction/directions for measurement and demarcation of the piece of land purchased by the petitioner, through Sale Deed dated 06-3.1965 situated in Mauza-Chauram, Khata No.228, Plot No.640, area 15 dismal and also for quashing the order dated 2-2-2018 passed by the District Magistrate, Aurangabad (Bihar).”

2. Learned counsel for the petitioner submits that this is an application for measurement and demarcation of the land in question and also for quashing the order dated 02.02.2018 passed by



the District Magistrate, Aurangabad-cum-Second Appellate Authority in which order has been passed that the present matter would be decided by the Civil Court and the case stands disposed of in the light of aforesaid direction.

3. Learned counsel for the State submits that for redressal of the grievance against the aforesaid order the petitioner has to approach the Bihar Land Tribunal. But, instead of approaching the Bihar Land Tribunal, petitioner has directly moved this Court in its writ jurisdiction, which is not the proper remedy. In the light of aforesaid, the present writ petition is not maintainable.

4. Considering the facts and circumstances of the case and the arguments advanced on behalf of both the parties, the present writ petition stands disposed of with liberty to the petitioner to raise his grievance before the Bihar Land Tribunal within a period of six weeks from the date of receipt of this order, which shall be heard and disposed of as per law.

5. It is needless to mention that the period spent in pursuing the matter before this court be considered sympathetically while dealing with the aspect of condonation of delay.

(Alok Kumar Pandey, J)

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