

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4706 of 2024

Md. Ekbal Alam @ Ekbal Alam Son of Md. Salauddin @ Md. Salahuddin,
Residing at Fandampur, P.S. -Sanhola, District-Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reform Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reform, Department, Govt. of Bihar, Patna.
3. The Divisional Commissioner, Bhagalpur Division, Bhagalpur.
4. The Collector, Bhagalpur, District- Bhagalpur.
5. The Land Reform Deputy Collector, Kahalgoan, District- Bhagalpur.
6. The Anchaladhikari, Sanhola, District- Bhagalpur.
7. Manoj Sah, Son of late Narayan Sah Resident of Village- Sanhola, P.S.- Sanhola, District- Bhagalpur.
8. Rajo Sah, Son of Late Shiv Narayan Sah Resident of Village- Sanhola, P.S.- Sanhola, District- Bhagalpur.
9. Dharmendra Sah, Son of Late Shiv Narayan Sah Resident of Village- Sanhola, P.S.- Sanhola, District- Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Advocate
For the Respondent/s : Mr.Government Pleader (23)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 27-06-2024 Heard Mr. Sharda Nand Mishra, learned counsel for

the petitioner and the learned counsel appearing on behalf of the

State.

2. The present writ petition has been preferred for the
following relief(s):

*(i) for issuance of writ application is
being filed for issuance of writ nature of certiorari
for quashing the order dated 27.09.2023 passed in*



Execution Case No. 74/2023-24 passed by Land Reform Deputy Collector, Kahalgaon by which dismissed the execution case in the light of the order dated 29.03.2023 passed in CWJC No.9536/2022 and order dated 03.04.2023 passed in CWJC No.6559/2020;

(ii) for further issue direction to respondents for comply the order dated 13.08.2022 passed by Land Reform Deputy Collector, Kahalgaon in Land Dispute Redressal Case No. 44/2021-22 by which directed to the Anchaladhikari, Sanhola for demarcation of the land of the petitioner and also directed remove the illegal construction within three months said very order has been affirmed by the Divisional Commissioner, Bhagalpur vide order dated 01.08.2023 passed in BLDR Appeal Case No.33/2022-23.

3. After some arguments, learned counsel for the petitioner submits that he will challenge the order of the Deputy Collector Land Reforms, Kahalgaon, Bhagalpur before the appropriate authority.

4. Learned State counsel submits that instead of rushing before the Writ Court, he should have moved before the appropriate authority on earlier occasion itself.

5. Be that as it may, since now the petitioner is ready



to approach before the appropriate authority in next four weeks, it would be appropriate that the concerned authority shall take into account the fact that the writ petition was pending before this Court while taking up the limitation petition.

6. The writ petition stands disposed of.

(Rajiv Roy, J)

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