

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5644 of 2022

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Shobh Nath Singh Son of Late Ramesh Singh, Resident of Mohalla - Yarpur,
P.S. - Gardanibagh, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, General Administration Department, Government of Bihar, Patna.
2. The Principal Secretary Revenue and Land Reforms Department, Government of Bihar, Patna.
3. The District Magistrate, Patna.
4. The Senior Superintendent of Police, Patna.
5. The Circle Officer, Patna Sadar.
6. The Station House Officer, Gardanibagh Police Station, Patna.
7. Sidh Nath Singh, Son of Late Rajendra Singh, Resident of Mohalla - Yarpur, P.S. - Gardanibagh, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jay Prakash Singh, Advocate
For the Respondent/s : Mr. Md.Khurshid Alam (Aag12)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 09-02-2024 Heard learned counsel for the parties.

2. This writ petition has been filed for the issuance of directions to respondent authorities to measure and demarcate the land of the petitioner appertaining to Thana No.- 18 Khata No. 7 Plot No. 339, 361 , 366 , area 1 Katha 13 Dhur, situated in Mauza – Yarpur, Thana Gardanibagh , Circle – Patna sadar, District- Patna .

3 . At the outset, learned counsel for the State appears and raises preliminary objection to the effect that grievance of



the petitioner regarding boundary dispute falls under Section 4(1) (h) of The Bihar Land Disputes Resolution Act, 2009 which reads as:

"4. Jurisdiction and authority to resolve disputes. - (1) The Competent Authority shall have jurisdiction and authority to hear and adjudicate. on an application or complaint or on any application referred to by a Prescribed Authority or officer, any issue arising out of following types of disputes:-

(h) Boundary disputes;"

4. Learned counsel for the petitioner does not dispute the above proposition.

5. In the above view of the matter, this Court is not inclined to interfere in the matter in its extra-ordinary writ jurisdiction. Grievance of the petitioner relates to boundary dispute which falls under Section 4(1)(h) of the Bihar Land Disputes Resolution Act, 2009. Petitioner has statutory alternative remedy available which he can avail in accordance with law.

6. It goes without saying that if any question of



limitation arises before the competent authority, the same shall be considered, taking into consideration the fact that the petitioner was pursuing the issue before this Court under Article 226 of the Constitution of India .

7. This writ petition is accordingly disposed of with the aforesaid observations.

(Prabhat Kumar Singh, J)

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