

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1396 of 2016

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Arjun Kumar Son of Late Tengar Rajak, Resident of Village - Sanhauli, P.S. -
Chitragupta Nagar, District - Khagaria.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Director General of Police, Home Department Bihar, Patna
2. The Superintendent of Police, Khagaria.
3. The District Magistrate, Khagaria.
4. The Officer - in - Charge, Chitragupta Nagar, Police Station.
5. The Circle Officer, Khagaria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Advocate
For the Respondent/s : Md. Zeeshan Kalim, AC to SC 20

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 11-01-2024 Heard learned counsel for the parties.

2. This writ petition has been filed for compliance of order dated 10.06.2013 passed by the Deputy Collector, Land Reforms, Khagaria in Case No. 195 of 2012 (Annexure-2).

3. Learned counsel for the State raises preliminary objection to the effect that an alternative remedy is available to the petitioner under **Section 15 of The Bihar Land Disputes Resolution Act, 2009** which reads as:

“15. Execution of the order passed by the Competent Authority.- The Competent Authority shall execute the order passed by him subject to order, if any, passed in appeal: Provided that if no appeal is filed within the prescribed period he shall



*proceed to execute the said order either himself or
authorise any other officer or employee to execute
the same.”*

4. In view of the aforesaid facts and circumstances, petitioner is directed to file fresh application before the competent authority in accordance with law within a period of six weeks from today.

5. In the event such application is filed by the petitioner within the stipulated time period, the authority concerned shall dispose of the same in accordance with law after hearing the parties.

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. Writ petition stands disposed of with the aforesaid observations.

(Prabhat Kumar Singh, J)

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