

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10063 of 2023

Antosh Manjhi Son of Sharda Manjhi, resident of village- Sadipur, P.S.
Goreyakothi, District - Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Collector, Siwan.
3. The Additional Collector, Siwan.
4. The Deputy Collector, Land Reforms, Maharajganj, District - Siwan.
5. The Circle Officer, Goreyakothi, District - Siwan.
6. Kapildeo Singh, Son of Late Ramayan Singh, resident of village - Sadipur, P.S. - Goreyakothi, District - Siwan.
7. Chunchun Singh, son of Kapildeo Singh, resident of village - Sadipur, P.S. - Goreyakothi, District - Siwan.
8. Nand Kishor Singh, Son of Late Baikunth Singh, resident of village - Sadipur, P.S. - Goreyakothi, District - Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Akhilesh Kumar, Advocate
For the Respondent/s : Mr. Raj Kishore Roy (Gp 18)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-01-2024 Heard learned counsel for the parties.

2. This writ application has been filed for compliance of order dated 18.01.2023 in B.L.D.R. Case No. 14/2021-22 passed by the Deputy Collector, Land Reforms, Maharajganj, Siwan (Respondent No. 4).

3. Learned counsel for the State submits that petitioner has got grievance with respect to implementation of the order passed by Respondent No. 4 and 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, preferably, within a period of six months from the date of filing of such application.

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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