

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11404 of 2024

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Dharamanath Sah @ Dharmnath Prasad

... .. Petitioner/s

Versus

The State of Bihar & Ors.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Prasad Singh, Advocate

For the Respondent/s : Mr. Aakash Chaturvedi, SC-13

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 01-08-2024 Heard Mr. Satyendra Prasad Singh, learned counsel

for the petitioner and Mr. Aakash Chaturvedi, learned advocate

for the State.

2. The grievance of the petitioner is only confined to
the demarcation of his land pertaining to plot No.2, Khata
No.23, area 2 katha 15 dhur situated in village Sipah, Tauzi
No.1670, RS No.359, Police Station Basantpur, District-Siwan.

3. The land in question is said to be ancestral property
of the petitioner and the petitioner have been coming in peaceful
possession of the same. It is also contended that the right and
entitlement of the petitioner has been crystallized and a decree
has also been issued in favour of the petitioner in Title Suit
No.12/2001 by the Learned Munsif II, Siwan. It is also
contended that some of the persons also preferred Title Appeal
No.01/2010, which also stood dismiss by the Learned
Additional District and Sessions Judge-III.

4. In the aforementioned premise, the petitioner
approached before the Circle Officer, Basantpur, Siwan for



demarcation of the land but despite his application the copy of which is marked as Annexure-1 to the writ petition; till date no demarcation has been done. Aggrieved by the inaction of the Circle Officer, Basantpur, the petitioner has filed the present writ petition.

5.At this juncture, learned advocate for the State submits at the bar that the petitioner has remedy under the Bihar Land Dispute Resolution Act, wherein the DCLR is the competent authority who can look into the matter and resolve the dispute by passing an appropriate order of demarcation.

6. In view of the submissions made at the bar the present writ petition stands disposed of with a direction to the petitioner to file a proper petition before the DCLR Maharajganj, preferably within a period of two weeks from today.

7. If such a petition is filed, the DCLR Maharajganj, shall consider the same and bring it to its logical conclusion under the Bihar Land Dispute Resolution Act, 2009 within the period stipulated under the Act.

(Harish Kumar, J)

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