

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13617 of 2022

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Krishna Devi Wife of Neeraj Kumar Ray, Resident of Vilage-Pakvalia, P.S.-
Awtar Nagar, District-Saran (Chapra).

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department Land and Revenue, Government of Bihar, Patna.
3. The Divisional Commissioner, Saran Division at Chapra.
4. The District Magistrate, Saran (Chapra).
5. The Superintendent of Police, Saran (Chapra).
6. The Additional Collector, Saran (Chapra).
7. The Sub-Divisional Officer, Sadar (Chapra).
8. The Deputy Collector Land Reforms, Sadar (Chapra).
9. The Sub-Divisional Police Officer, Sadar Chapra.
10. The Circle Officer, Sadar Chapra, District-Saran.
11. The Officer-In-Charge, Doriganj Police Station, Saran (Chapra),
12. Dilip Kumar Ray Son of Late Bhrigunath Ray Resident of Village-Lodipur, P.S.-Doriganj, District-Saran(Chapra)
13. Manoj Kumar Ray Son of Late Bhrigunath Ray Resident of Village-Lodipur, P.S.-Doriganj, District-Saran(Chapra)
14. Arun Kumar Ray Son of Late Bhrigunath Ray Resident of Village-Lodipur, P.S.-Doriganj, District-Saran(Chapra)

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Kishore Singh, Advocate
For the Respondent/s : Mr. Rishi Raj Sinha (Sc 19)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 09-01-2024 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 Khata No. 107 & 148, Survey No. 25 & 16, area 04 Katha 06 Dhur, situated in Mauza



Lodipur District- Saran .

3 . At the outset, learned counsel for the State raises preliminary objection and submits 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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