

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13933 of 2023

Akhilesh Kumar Son of late Ramjee Prasad Resident of Dighi Talab, Motisen Bagicha, P.S.- Civil Line, Post- G.P.O. Gaya, P.S.- Gaya Town, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar Through Principal Secretary, Revenue and land Reforms Department, Bihar, Patna.
2. The Principal Secretary, Revenue and land Reforms Department, Bihar, Patna.
3. District Magistrate, Gaya.
4. Additional Collector, Gaya.
5. Sub Divisional Officer, Sadar Gaya.
6. Anchal Adhikari, Town Gaya, District- Gaya.
7. Homa Tabasum Wife of Md. Firoz Resident of Enayat Colony, Mohalla Durga Bari, Ward No. 23 (Behind Masjit) P.S Civil Lines, District- Gaya.
8. Rubi Khatoon Wife of Md. Mumtaz Resident of Enayat Colony, Mohalla Durga Bari, Ward No. 23 (Behind Masjit) P.S Civil Lines, District- Gaya.
9. Afsa Parween Wfie of Md. Raza Ali Resident of Enayat Colony, Mohalla Durga Bari, Ward No. 23 (Behind Masjit) P.S Civil Lines, District- Gaya.
10. Mr. Raza Ali Son of Md. Shamsuddin, Resident of Enayat Colony, Mohalla Durga Bari, Ward No. 23 (Behind Masjit) P.S Civil Lines, District- Gaya.
11. Shairun Nisha Wife of Md. Qum Siddic Resident of Enayat Colony, Mohalla Durga Bari, Ward No. 23 (Behind Masjit) P.S Civil Lines, District- Gaya.
12. Abdul Halim Son of Abdul Karim Resident of Enayat Colony, Mohalla Durga Bari, Ward No. 23 (Behind Masjit) P.S Civil Lines, District- Gaya.
13. Aftab Ahamad Khan S/o Mustak Ahmad Khan Resident of Enayat Colony, Mohalla Durga Bari, Ward No. 23 (Behind Masjit) P.S Civil Lines, District- Gaya.
14. Salimuddin Son of Samuddin Resident of Enayat Colony, Mohalla Durga Bari, Ward No. 23 (Behind Masjit) P.S Civil Lines, District- Gaya.
15. Md. Shahjahan Son of Ananat Hussain Resident of Enayat Colony, Mohalla Durga Bari, Ward No. 23 (Behind Masjit) P.S Civil Lines, District- Gaya.
16. Raushan Ara Wife of Amanullah Resident of Enayat Colony, Mohalla Durga Bari, Ward No. 23 (Behind Masjit) P.S Civil Lines, District- Gaya.
17. Nujhat Ara Wife of Jahiruddin Resident of Enayat Colony, Mohalla Durga Bari, Ward No. 23 (Behind Masjit) P.S Civil Lines, District- Gaya.
18. Zenet reveen Wife of S.M. Asin Resident of Enayat Colony, Mohalla Durga Bari, Ward No. 23 (Behind Masjit) P.S Civil Lines, District- Gaya.
19. Md. Firoz Ahmad Son of Jamuddin Resident of Enayat Colony, Mohalla Durga Bari, Ward No. 23 (Behind Masjit) P.S Civil Lines, District- Gaya.



20. Md. Jahid Ahmad son of Jamuddin Resident of Enayat Colony, Mohalla Durga Bari, Ward No. 23 (Behind Masjid) P.S Civil Lines, District- Gaya.
21. Bibi Jabunisa W/o Bipat Miya Resident of Enayat Colony, Mohalla Durga Bari, Ward No. 23 (Behind Masjid) P.S Civil Lines, District- Gaya.
22. Md. Shanaz Bag S/o Md. Yasin Resident of Enayat Colony, Mohalla Durga Bari, Ward No. 23 (Behind Masjid) P.S Civil Lines, District- Gaya.
23. Md. Atiullah S/o Habibur Rahman Resident of Enayat Colony, Mohalla Durga Bari, Ward No. 23 (Behind Masjid) P.S Civil Lines, District- Gaya.
24. Md. Sajjad Hussain S/o Habibur Rahman Resident of Enayat Colony, Mohalla Durga Bari, Ward No. 23 (Behind Masjid) P.S Civil Lines, District- Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Prasad Singh, Advocate
For the Respondent/s : Mr. Sajid Salim Khan (Sc 25)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-01-2024 Heard learned counsel for the parties.

2. This writ application has been filed for issuance of direction direction to the respondent authority to correct the Jamabandi of the Land in question in name of petitioner after deleting the wrong entry of the name of private respondents and to issue rent receipt of the disputed land in name of petitioner after making necessary correction in demand register in register-II and also to protect the right, title , interest and possession of the petitioner over the land in question for which petitioner is legally entitled.

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)



(f) 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:-

(f) Correction of entry made in the record of rights including map/survey map.

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 falls under Section 4(1) (f) 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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