

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15997 of 2024

=====

Satyendra Narayan Singh S/o Late Haridwar Singh Resident of Village-South
Akauna Police Station Udawant Nagar District-Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Ruler Development Department, Government of Bihar, Patna.
2. The Deputy Inspector General of Police, Shahabad, Dehri-on-Sone, Rohtas.
3. The Commissioner, Patna Division, Patna.
4. The District Magistrate, Bhojpur, Ara.
5. The Superintendent of Police, Bhojpur, Ara.
6. The Additional Collector, Bhojpur, Ara.
7. The District Land Acquisition Officer, Bhojpur, Ara.
8. The Sub-Divisional Police Officer, Bhojpur, Ara.
9. The Demarcation Officer, Bhojpur, Ara.
10. The Anchala Adhikari, Block-Udawant Nagar, District-Bhojpur, Ara.
11. The Officer In Charge, Udawant Nagar, Police Station, Bhojpur, Ara.
12. Sri Shushil Yadav Son of Shivji Yadav Resident of Village-Velai, Police Station-Udawant Nagar, District-Bhojpur, Ara.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Anil Kumar, Advocate
For the Respondent/s : Mr.Government Advocate (9)

=====

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 22-10-2024 In the instant petition, petitioner has prayed for the

following relief(s):-

(I) For issuance of an appropriate writ commanding the respondents to take action against the private respondent no. 12 in which the representation has been filed by the petitioner before the respondent nos. 2, 3, 4 and 5 on 23.02.2024 (Annexure 8 series) regarding the matter of the boundary of the



private land of the petitioner was broken by the respondents no. 12 and he possessed over having area 10 dhur (total area of the said plot 21 Decimals), Khata No. 423, plot number (N) 03, Mauja – Akauna and Thana No. 354 which was forcibly used by private respondent no. 12 so further stoppage the function of respondents number 12 over the said plot.

(ii) For issuance of an appropriate writ commanding the respondents to give the possession to the petitioner over the said plot.

(iii) For any other relief/reliefs which the petitioner is entitled under the law as well as on facts of this writ petition.

2. Learned counsel for the petitioner submits that petitioner has acquired land bearing Jamabandi No. 172, Area 1.562 decimal, Khata No. 423, Plot No. 3, Mauja – Akauna which was under the possession of petitioner after partition. He further submits that petitioner has approached several authorities namely Respondent No. 2 - the Deputy Police Inspector, Shahabad, Dehri on Sone, Rohtas, Respondent No. 3 – the Commissioner, Bhojpur, Respondent No. 4 – the District Magistrate, Bhojpur, Respondent No. 5 – the Superintendent of Police, Bhojpur. Learned counsel further submits that on the basis of prayer made in Clause 1, it is evident that there is dispute regarding demarcation of boundary between the parties. He further submits that petitioner has not given any petition



under BLDR Act, though, he has approached several authorities. From the perusal of prayer of the petitioner, it also transpires that private Respondent No. 12 has encroached upon the land in question and thereby he has approached to this Court.

3. Learned counsel for the State has submitted that petitioner has not availed alternative remedy available before appropriate forum as the dispute is regarding demarcation of boundary between the parties. In the light of the aforesaid facts and circumstances of the case, petitioner has not made out a case.

4. In the light of the facts and circumstances of the case as well as discussions made above, it is crystal clear that there is dispute regarding demarcation of boundary between the parties and petitioner has not given any petition under BLDR Act, though, he has approached several authorities. In the light of the aforesaid facts and circumstances of the case, petitioner has not made out a case.

5. Accordingly, the present writ petition stands dismissed.

6. Dismissal of present writ petition would not be a hurdle for the petitioner to approach the appropriate authority for his grievance. The petitioner may approach appropriate authority within a period of four weeks from the date of receipt



of this order. The concerned authority is also hereby directed to hear the party after giving due opportunity to the parties and pass appropriate order expeditiously, in accordance with law.

(Alok Kumar Pandey, J)

alok/-

U			
---	--	--	--

