

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18354 of 2023

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Abdul Jabbar son of Ahmad, resident of Village-Karhariya, P.O. and P.S.-
Dhoraiya, District-Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Banka.
2. The Deputy Collector, Land Reforms, Banka.
3. The Circle Officer, Dhoraiya, Banka.
4. Md. Idrish, son of Md. Chhedi, r/o Village-Karhariya, P.O. and P.S.-
Dhoraiya, District-Banka.
5. Md. Jamal, son of Md. Chhedi, r/o Village-Karhariya, P.O. and P.S.-
Dhoraiya, District-Banka.
6. Md. Muslim, son of Md. Chhedi, r/o Village-Karhariya, P.O. and P.S.-
Dhoraiya, District-Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Pandey
For the Respondent/s : Mr Saty Vrat , AC to GP 10

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 02-02-2024 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 *Khaitani* land of the
petitioner.

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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