

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11120 of 2016

Dr. Kumar Kartikeya Son of Late Pramod Kumar Sinha Resident of Mohalla -
R.S. Tank Balbhadrapur, P.S. Anchal - Bahadurpur, Distt. - Darbhanga

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
 2. The Commissioner, Darbhanga Division, Darbhanga
 3. The District Magistrate, Darbhanga.
 4. The Deputy Collector Land Reforms, Darbhanga
 5. The Circle Inspector, Bahadurpur Anchal, Darbhanga
 6. Saroj Kumar Singh Son of Late Birendra Narain Singh Resident of Mohalla
- R.S. Tank Balbhadrapur, P.S. Anchal - Bahadurpur, Distt. - Darbhanga
- Respondent/s

Appearance :

For the Petitioner/s : Mr. Raj Kamal

For the Respondent/s : Mr. Anjani Kumar, Aag6

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-07-2025 Heard the parties.

2. The present writ petition has been preferred for the
following relief(s):

*for quashing of the order dated
05.04.2016 passed in B.L.T. Case No. 416 of
2015 (Dr. Kumar Kartikeya Vs The State of
Bihar & Ors.) passed by the learned Bihar
Land Tribunal, Patna (hereinafter to be
referred as 'learned tribunal' for the sake of
brevity) whereby the learned tribunal refused
to interfere with the impugned orders and
further directed that both the parties will
submit their document of title with respect to
land in question, before the Circle Officer,
prior to the measurement of the disputed land,
which will make clear the area with respect to
which they have got their right, title and*



possession over the disputed land. Only on consideration of the deed of title and possession, the measurement will be done in presence of both the parties, as well as in presence of other boundary raiyats of the concern plots. In case, the enquiry conducted and measurement done by the Circle Officer shows any encroachment made by any of the parties, the Circle Officer, will take steps for removal of encroachment, otherwise there will be no reason for changing the physical feature of the disputed land. The measurement must be conducted within two months from the date of production/communication of this order. During the pendency of the preparation of final measurement report, parties shall restrain themselves from making any construction over the land, which is part of the disputed land."

The petitioner had filed an application before the learned tribunal bearing B.L.T. Case No. 887 of 2013 (Sushma Devi @ Sushma Singh Vs Gajendra Prasad Singh & Ors.) for setting aside the order dated 25.02.2015 passed in Land Dispute Appeal Case No. 234/2013-14 (Dr. KUMAR KARTIKEYA V/s Saroj Kumar Singh) whereby and where under the appeal preferred by petitioner, has been dismissed and also for quashing of the order dated 17.04.2013 passed in Land Dispute Case No. 631/2012-13



(Saroj Kumar Singh V/s Dr. KUMAR KARTIKEYA) passed by the learned Land Reforms Deputy Collector, Darbhanga, District- Darbhanga whereby and where under the application filed by the Respondent no. 6 has been allowed and it has been directed by the learned Land Reforms Deputy Collector, Darbhanga to Circle Officer, Bahadurpur for appropriate measurement of the land in question and thereafter to hand over the peaceful possession of the land in question after removing the encroachment to Respondent no. 6.

3. Learned counsel for the petitioner prays for withdrawal of the petition.

4. Permission accorded.

5. Accordingly, the same is dismissed as withdrawn.

(Rajiv Roy, J)

Vijay Singh/-

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