

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8753 of 2019

=====

Manoj Kumar Son of Jitwahan Saw Resident of Village Kinjar, P.S. Karpi,
District Arwal.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, Arwal
2. The Collector, District Arwal
3. The Superintendent of Police, District Arwal
4. The Sub-Divisional Officer, Arwal
5. The Deputy Collector, Land Reform, Arwal
6. The Sub-Divisional Police Officer, Arwal
7. The Anchaladhikari, Anchal Karpi, District Arwal
8. The Station House Officer (SHO) Police Station Kinjar, District Arwal
9. Shailendra Singh Son of Permanand Singh Resident of Village Kinjar, P.S. Karpi, District Arwal.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Shamshe Alam, Advocate
For the Respondent/s : Mr. Navnit Kumar, AC to GP-18

=====

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

3 24-07-2025 Heard learned counsel for the petitioner and learned
counsel appearing for the respondents-State.

2. With the consent of parties the present writ
application is being disposed of at the present stage itself.

3. Learned counsel for the petitioner submits that this
writ application has been filed for commanding the respondent
State Authorities to comply with the order dated 15.12.2016
passed by the Sub-Divisional Officer, Arwal (respondent no.4)
in Case no.410/2016 (Manoj Kumar vs. Shailendra Singh) by



which the petitioner claims that the learned Sub-Divisional Officer, Arwal has been pleased to pass order in favour of the petitioner. Further relief has been claimed for commanding the respondent no.9 who is a private party to vacate the possession over the land in question.

4. Learned counsel appearing for the respondents-State has objected to the maintainability of the present writ application on the ground that the petitioner has remedy under the law for getting the order of the learned Sub-Divisional Officer, Arwal executed and for that purpose the petitioner ought not to have filed their writ application. Learned counsel for the respondents-State further objects to the maintainability of this case on the ground that the dispute of the petitioner is with respondent no.9 another private party and, therefore, a private dispute cannot be resolved/adjudicated in writ jurisdiction.

5. Responding to the objection raised by learned counsel appearing for the respondents-State, learned counsel for the petitioner submits that he is ready to withdraw the present writ application, if this Court could grant him the liberty to approach the appropriate court /forum for execution of the order dated 15.12.2016 passed by the Sub-Divisional Officer, Arwal



in Case no.410/2016 and for resolution of the dispute which the petitioner has with the respondent no.9.

6. To this prayer being made by learned counsel for the petitioner, learned counsel appearing for the respondents-State does not have any objection.

7. Considering the limited nature of prayer being made by learned counsel for the petitioner, this writ application is disposed of as withdrawn granting liberty to the petitioner to approach the appropriate court /forum for getting the order dated 15.12.2016 passed by Sub-Divisional Officer, Arwal in Case no.410 of 2016 executed and for resolution of the private dispute which the petitioner has with respondent no.9.

8. With the aforesaid liberty granted, the present writ application is disposed of as withdrawn.

(Alok Kumar Sinha, J)

Prakash Narayan

U			
---	--	--	--

