

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11144 of 2024

1. Rostam Miyan, Son of Late Sahid Miyan, Resident of Village- Baswaria, P.O.- Parsauni Farm, P.S.- Chautarwa, District- West Champaran.
2. Abadullah Miyan, Son of Late Jhaman Miyan, Resident of Village- Baswaria, P.O.- Parsauni Farm, P.S.- Chautarwa, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Land Reforms and Revenue, Bihar, Patna.
2. The Collector, District- West Champaran.
3. The Additional Collector, West Champaran, Betiah.
4. The Sub Divisional Officer, Bagha, District- West Champaran.
5. The Deputy Collector Land Reform, Bagha, District- West Champaran.
6. The Circle Officer, Block- Bagha, District- West Champaran.
7. Thag Sah, Son of Late Mahadeo Sah, Resident of Village- Baswaria, P.O.- Parsauni, P.S.- Chautarwa, District- West Champaran.
8. Satandeo Sah, Son of Late Ram Lal Sah, Resident of Village- Baswaria, P.O.- Parsauni, P.S.- Chautarwa, District- West Champaran.
9. Jatan Sah, Son of Late Ram Lal Sah, Resident of Village- Baswaria, P.O.- Parsauni, P.S.- Chautarwa, District- West Champaran.
10. Sahdeo Sah, Son of Late Ram Lal Sah, Resident of Village- Baswaria, P.O.- Parsauni, P.S.- Chautarwa, District- West Champaran.
11. Krishan Sah, Son of Badri Sah, Resident of Village- Baswaria, P.O.- Parsauni, P.S.- Chautarwa, District- West Champaran.
12. Chunnu Sah, Son of Late Chandrika Das, Resident of Village- Baswaria, P.O.- Parsauni, P.S.- Chautarwa, District- West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Alok Kumar Alok
For the Respondent/s	:	Mr. Government Pleader (24)
		Mr. AC to GP-24

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 04-08-2025 1. Heard learned counsel for the petitioners and learned AC to GP-24 for the State.
2. The learned AC to GP-24, at the outset, submits



that petitioners have rushed to this Court against the order passed by the Additional Collector, West Champaran, Bettiah by which settlement made in favour of the petitioners in the Year 1992 by the DCLR/SDO in Settlement Case No. 12 of 1992-93 (LR 177/1992-93) by an order dated 08.05.1992/15.07.1992 has been cancelled on the ground that the land in dispute is Gairmazarua-Aam land and it is the State Government, who is competent to settle such land. Further, that the petitioners are not landless persons based on which the settlement was made. It is also submitted that petitioners have an alternative remedy against the order impugned, but then, instead of availing the alternative remedy, the petitioners have directly moved before this Court under Article 226 of the Constitution of India which is an extraordinary and a discretionary jurisdiction.

3. The learned counsel appearing on behalf of the petitioners are not in a position to rebut the submission of the learned counsel appearing on behalf of the State that petitioners have alternative remedy against the order impugned in the instant writ application, as such, the Court finds no merit in the writ application as petitioners have rushed to this Court without availing their alternative remedy.

4. The writ application is dismissed.



5. However, the dismissal order would not preclude the petitioner from availing their alternative remedy against the order impugned in the instant writ application in accordance with law.

(Satyavrat Verma, J)

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