

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20833 of 2014

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Ramdeo Rai S/O- Late Tilak Rai, Resident of- Village P.O.- Village- Jitwarpur
Chouk, P.S. and District- Samastipur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Deputy Collector, Land Records, Collectriate Campus Samastipur.
3. The Circle Officer, Collectariate Campus, Samastipur.
4. Smt. Roma Bharati W/o- Late Akhilesh Rai, Resident of Village-
Kharidabad, P.S.- Samastipur Muffasil, District- Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Uday Shankar Choudhary
For the State	:	Vijay Jha, AC to GA-9
For respondent no.4		Mr. Vishal Vikram Rana
		Mr.Dilip Kumar Roy
		Ms. Misha Bharti

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 17-02-2025 Heard the parties.

2. The present writ petition has been preferred for
the following reliefs:-

“(i) For issuance of an appropriate writ/order/direction including a writ in the nature of certiorari for quashing the order passed by the learned Commissioner, Tirhut Division, Darbhanga, vide order dated 23.09-2014 in Land Dispute Case No-11/2014-15 an appeal filed against the order of the DCLR Samastipur.

(ii) For issuance of an appropriate writ, order or direction including a writ in the



nature of certiorari for quashing the order of the D.C.L.R. Samastipur passed on 16/12/2013 in Land Dispute Case No-123/2013 against which the above mentioned appeal was filed before the Commissioner, Trihut Division, Darbhanga, who confirmed the order of the DCLR, Samastipur.

(iii) For issuance of an appropriate writ, order and direction including a writ in the nature of mandamus commanding the respondents to discharge their duties within the parameters of law without misusing their power and without adopting any coercive means.”

3. The petitioner and the respondent no.4 are claiming the disputed land to be their *raiyyati* land. The petitioner claims that the land in question is settled in his favour by the ex-land-lord, whereas respondent no.4 is claiming the land in question to be her purchased land. Respondent no.4 filed a petition before the competent authority (DCLR) for declaration of her right as well as recovery of possession over the disputed land, which was decided in favour of respondent no.4 (petitioner therein), vide order dated 16.12.2013 in Land Dispute Case No. 123 of 2013. The petitioner, being aggrieved by the order of the DCLR, preferred an appeal under Section 14 of the Bihar Land



Disputes Resolution Act, 2009 (for short 'the Act') before the Commissioner, Tirhut Division, Darbhanga and the appeal was dismissed vide order dated 23.09.2014 in Land Dispute Appeal No. 11/2014-15. The present writ petition has been filed against the order of the Commissioner, Tirhut Division, Darbhanga, dismissing the appeal.

4. The alternative forum is available to the petitioner under Section 9 of the Act. The petitioner may take recourse of alternative statutory remedy, in accordance with law.

5. With the aforesaid direction/observation, the writ petition stands disposed of.

6. Needless to say that I.A.No.272 of 2015 has become infructuous on account of the present order.

(Nawneet Kumar Pandey, J)

HR/-

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