

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12589 of 2016

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Mithilesh Kumar Son of Sri Harinandan Rai, Resident of Village -
Bodhgawan, P.S. Phulwari Sharif, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar, Bihar.
2. The Principal Secretary, Land Reforms, Department, Government of Bihar,
Patna.
3. The Commissioner, Patna Division, Patna.
4. The Collector, Patna District, Patna.
5. The Deputy Collector, Land Reforms, Patna Sadar, Patna.
6. The Circle Officer, Phulwari Sharif, District- Patna.
7. Kamta Rai Son of late Sita Ram Rai, Resident of Village Bodhgawan, P.S. -
Phulwarisharif, District- Patna.
8. Asharfi Rai Son of Late Sita Ram Rai, Resident of Village Bodhgawan, P.S. -
Phulwarisharif, District- Patna.
9. Rinku Rai Son of Sri Kamta Rai, Resident of Village Bodhgawan, P.S. -
Phulwarisharif, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Adv.
For the Respondent/s : Mr. S.A. Alam, SC-3

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 10-02-2026 Heard the parties.

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

*(i) For quashing of the order dated
13.04.2016 passed by the learned Bihar Land
Tribunal, Patna in BLT case no. 827 of 2014
whereby and whereunder the Learned Tribunal
has dismissed the application filed by the
petitioner against the order dated*



22.08.2013/19.12.2013 passed by the Learned Divisional Commissioner, Patna and against the order dated 16.05.2013 passed by the Learned Deputy Collector, Land Reforms Sadar Patna by which the petition filed by the petitioner for demarcation of his land and fixing of pucca pillar was dismissed.

ii. For quashing of the order dated 22.08.2013/19.12.2013 passed by the Learned Divisional Commissioner, Patna in Land Dispute Appeal No. 259 of 2013 by which the appeal against the order of D.C.L.R. Sadar Patna has been dismissed.

iii. For quashing of the order dated 16.05.2013, passed by the Learned Deputy Collector, Land Reforms, Sadar, Patna in case No. 133 of 2011-12 by which the petition filed by the petitioner, under section 4 of the Bihar Land Dispute Resolution Act, 2009 for demarcation of his land was rejected.

iv. For issuance of an order/writ/direction of the respondents to get the land of the petitioner demarcated by fixing pucca pillars after measurement of the same.

v. For any other relief or reliefs which your lordships may deem just and proper in the facts and circumstances of the case.

3. The matter relates to a piece of land with following details:



Khata No. 49;

Plot No.-732;

Area – 4 katha 12 dhurs,

*at Basant Chak, Bodhgawan under
Phulwarisharif, Patna.*

4. The petitioner claims the wnership right and this led to **Land Dispute Resolution Case No. 133 of 2011-12** (Mithilesh Kumar vs. Kamta Rai and Anr.).

5. It was disposed of on **14.05.2013** (Annexure-3 to the writ petition) by the learned **Deputy Collector Land Reforms, Patna** rejecting the claim on the ground that the petitioner failed to provide any document in support of his case.

6. Aggrieved, the petitioner moved before the **Divisional Commissioner, Patna** in **Land Dispute Appeal No. 259 of 2013** which again was dismissed on **22.08.2013/19.12.2013** and the Divisional Commissioner also recorded that not only the petitioner failed to provide document, a measurement has already been done by the Circle Officer earlier (Annexure-4).

7. This followed the filing of **BLT Case No. 827 of 2014** before the **Bihar Land Tribunal, Patna** (henceforth for short 'the Tribunal'). The same came to be dismissed on **1st March, 2016** and 'the Tribunal' chose not to interfere with the reasoned orders of the learned DCLR as also the Divisional Commissioner allowing the parties to move before the Competent Civil Court for the redressal of the grievance.



8. Though learned counsel for the petitioner submits that he has valid document, learned State Counsel counters it and submits that the concurrent finding is that he failed to produce any document.

9. Considering the fact that the DCLR, Patna Sadar the Divisional Commissioner, Patna and 'the BLT' came to a concurrent finding, in that background, no relief can be granted to the petitioner on the simple ground that he failed to provide a single chit of paper to support the claim. If ever, he gets the hold of any document, can knock the door of the revenue authority for the needful and not otherwise.

10. It is high time that the petitioner takes the route to Civil Court for the redressal of grievances.

11. The writ petition is disposed of with aforesaid observation.

(Rajiv Roy, J)

Vijay Singh/-

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