

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8971 of 2026

Manoj Singh, Son of Late Bali Singh, Resident of Village- Dumari, Chapra,
P.S.- Taraiya, District- Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Department, Government of Bihar, Patna.
2. The District Magistrate, Saran at Chapra.
3. The Circle Officer, Taraiya, District- Saran at Chapra.
4. Gyanti Devi, Wife of Dharmdas, Resident of Village- Parsauni, P.S.- Gopalganj, District- Gopalganj, at present Village- Dumari (Andhrawari), P.S.- Taraiya, District- Saran.
5. Dharmdas, Son of Late Punit Das, Resident of Village- Parsauni, P.S.- Gopalganj, District- Gopalganj, at present Village- Dumari (Andhrawari), P.S.- Taraiya, District- Saran.
6. Anita Devi, Son of Dahari Das, Resident of Village- Parsauni, P.S.- Gopalganj, District- Gopalganj, at present Village- Dumari (Andhrawari), P.S.- Taraiya, District- Saran.
7. Dahari Das, Son of Dahrmdas, Resident of Village- Parsauni, P.S.- Gopalganj, District- Gopalganj, at present Village- Dumari (Andhrawari), P.S.- Taraiya, District- Saran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary, Advocate
For the Respondent/s : Mr. Standing Counsel (13)

CORAM: HONOURABLE MR. JUSTICE RANA VIKRAM SINGH
ORAL ORDER

2 29-06-2026 Heard the parties.

2. After vehemently argued for sometime, the learned counsel for the petitioner prays for withdrawal of the writ application in view of the pendency of the Title Suit No. 997 of 2023 which is pending before the learned Sub-Judge (Sr. Division), Saran at Chapra for the same relief(s) assailing the issuance of Basgit Parcha in favour of the private respondent. In



the mean time, the petitioner has also approached this Court against the same order passed by Circle Officer, Taraiya, Saran issuing Basgit Parcha in favour of the private respondents herein. The Civil Court of competent jurisdiction and the Constitutional Court under writ jurisdiction cannot be approached simultaneously for the same set of relief(s) against the same order passed by the Circle Officer, Taraiya, Saran.

3. Learned counsel for the petitioner apprehends dispossession from the piece of land in view of the measurement done by the respondents on 13.04.2026. Petitioner is at liberty under the specific provisions of the C.P.C. to file an application before the competent Court where the matter is pending for restraining the respondents from dispossessing him from the suit land.

4. Learned counsel for the State also submits that the petitioner has approached the wrong forum and rather he has been availing two forums at the same, which is simply impermissible in the eyes of law.

5. At this stage, learned counsel for the petitioner seeks permission of this Court to withdraw this application with liberty to approach the competent Court of civil jurisdiction where the title suit is going on in connection with the land in



question for filing an appropriate application for restraining the respondents from imminent dispossession from the disputed land.

6. It goes without saying that if such an application is preferred by the petitioner before the competent Court of civil jurisdiction, the Court concerned must consider the same on priority basis and decide the issue after having heard all the concerned parties in the matter as soon as possible in order to avoid future complication.

7. In these terms, this writ application is disposed off.

(Rana Vikram Singh, J)

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