

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9365 of 2026

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Anjeesh Kumar @ Bambam Kumar S/o Late Brajesh Prasad, R/o Village Mauari, PS
Haspura, District Aurangabad. Petitioner/s

Versus

1. The State of Bihar through the Secretary Dept of Revenue and Land Reform Department.
2. The Commissioner, Magadh Division, Gaya Jee, P.S. and District- Gaya Jee.
3. The District Magistrate, Gaya Jee, P.S. and District- Gaya Jee.
4. The D.C.L.R., Daudnagar Aurangabad, P.S. and District- Aurangabad.
5. Manish Kumar, Son of Late Ramesh Prasad Singh, R/o Village- Mauari, PO- Koilwan, PS- Haspura, Distt- Aurangabad.
6. Mrinal Kumar, Son of Late Ramesh Prasad Singh, R/o Village- Mauari, PO- Koilwan, PS- Haspura, Distt- Aurangabad.
7. Rajnish Kumar Ambuj, Son of Late Ramesh Prasad Singh, R/o Village- Mauari, PO- Koilwan, PS- Haspura, Distt- Aurangabad.
8. Vijaya Kumari, D/o Late Ramesh Pd. Singh, R/o Village- Mauari, PO- Koilwan, PS- Haspura, Distt- Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dr. Anjani Pd. Singh, Advocate Mr. Pranav Anand, Advocate
For the Respondent/s	:	Mr. Ramadhar Singh, G.P.- (25)

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CORAM: HONOURABLE MR. JUSTICE RANA VIKRAM SINGH
ORAL ORDER

2 03-07-2026 Heard the parties.

2. At the very outset, learned counsel for the petitioner Dr. Anjani Prasad Singh, duly assisted by Mr. Pranav Anand, learned Advocate, fairly submits that the petitioner, instead of availing remedy before the competent Court of civil jurisdiction, has come to this Court under writ jurisdiction for resolution of dispute with respect to the possession over dwelling house and respective shares in the same.

3. Learned counsel appearing for the State also submits that this writ application is not maintainable on account of the relief

as prayed for because both the respondents no. 2 & 4 i.e. the Commissioner, Magadh Division, Gaya Jee & the D.C.L.R., Daudnagar, Aurangabad whose orders have been impugned, have not passed any order deciding the right and title between the parties but in fact they have assisted in execution of the order passed by the competent Court of civil jurisdiction.

4. In view of the aforesaid submissions, this writ application is disposed off with liberty to the petitioner to avail proper remedy before the appropriate forum in accordance with law.

5. It goes without saying that if any question of limitation arises before the competent authority/Court, the same shall be considered taking into consideration the fact that the petitioner has been pursuing his remedy before this Court under Article 226 of the Constitution of India.

6. Accordingly, this writ application is disposed off in aforesaid terms.

7. Interlocutory application(s), if any, also stands disposed off accordingly.

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(Rana Vikram Singh, J)