

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9924 of 2026

-
-
1. Mahabir Ram Son of Late Nathuni Ram, Resident of Village- Tikra Tola, Kudra, P.S.- Kudra, District- Kaimur (Bhabua).
 2. Ramayan Ram, Son of Late Lakhan Ram, Resident of Village- Tikra Tola, Kudra, P.S.- Kudra, District- Kaimur (Bhabua).
 3. Motilal Prasad, Son of Late Gilashi Ram, Resident of Village- Tikra Tola, Kudra, P.S.- Kudra, District- Kaimur (Bhabua).

... .. Petitioner/s

Versus

1. The State of Bihar through its Additional Chief Secretary, Revenue and Land Reforms Department, Govt. of Bihar.
2. The District Collector, District- Kaimur at Bhabua.
3. The Additional Collector, District- Kaimur at Bhabua.
4. The Deputy Collector Land Reforms, Mohania, Kaimur at Bhabua.
5. The Circle Officer, Kudra- Anchal, District- Kaimur at Bhabua.
6. Ravindra Prasad Singh, Son of Late Narvadeshwar Singh, Resident of Village- Jehanabad, P.S.- Kudra, District- Kaimur at Bhabua.
7. Gopal Singh, Son of Ravindra Prasad Singh, Resident of Village- Jehanabad, P.S.- Kudra, District- Kaimur at Bhabua.
8. Rajiv Kumar Singh, Son of Ravindra Prasad Singh, Resident of Village- Jehanabad, P.S.- Kudra, District- Kaimur at Bhabua.
9. Anand Kumar Singh, Son of Late Narvadeshwar Singh, Resident of Village- Jehanabad, P.S.- Kudra, District- Kaimur at Bhabua.
10. Ashutosh Kumar, S/o Late Madan Mohan Singh, Resident of Village- Jehanabad, P.S.- Kudra, District- Kaimur at Bhabua.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ramchandra Singh, Adv. Mr. Gyanjit Kumar, Adv.
For the Respondent/s	:	Mr. Mujtabaul Haque, GP-12 Mr. Mr. Vasant Vikas, AC to GP-12

CORAM: HONOURABLE MR. JUSTICE RANA VIKRAM SINGH
ORAL ORDER

2 08-07-2026 Heard learned counsel for the parties.

2. By approaching this Court under Article 226 of the
Constitution of India, the petitioner has prayed for setting aside



the order dated 09.10.2025 passed by Collector-cum-District Magistrate, Kaimur (Bhabhua) in Settlement Cancellation Appeal No. 12/2025 whereby the Collector has cancelled the settlement issued in favour of the petitioner seeking landless persons vide Settlement Case No. 02/1988-89 with a further prayer to declare the title and possession of the petitioners over the said piece of land.

3. However, before going into the merits of the case, at this stage, learned counsel appearing on behalf of the State submits that petitioners have an efficacious and alternative remedy by approaching the Bihar Land Tribunal in terms of Section 9 of the Bihar Land Tribunal Act which has exclusive jurisdiction over these kind of matters to hear and dispose of the same.

4. Perusal of the record and averments made in the writ application indisputably evince that the petitioner has raised disputed question of fact which cannot be decided in writ jurisdiction, as for deciding the same, producing and examining the witnesses and evidence thereon is required and this Court lacks its jurisdiction under Article 226 of the Constitution of India for the same.

5. At this stage, learned counsel for the petitioner



prays for withdrawal of the writ application with liberty to approach the Bihar Land Tribunal in terms of provisions as contained in Section 9 of the Bihar Land Tribunal Act.

6. The prayer is allowed.

7. The writ application is disposed off with liberty to the petitioner to approach the appropriate forum within two weeks henceforth by filing a proper application with relevant and supporting documents for redressal of the grievances so raised in the writ application.

8. It goes without saying that if any question of limitation arises before the competent authority, the same shall be considered taking into consideration the fact that the petitioner was pursuing the issue before this Court under Article 226 of the Constitution of India.

(Rana Vikram Singh, J)

Supratim/
Smriti-

U			
---	--	--	--

