



2026:PATHC:7983

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19775 of 2013

Chandeshwari Bhagat S/Osaryut Bhagat Resident Of Ward No. 7, Birpur, P.S-
Birpur, District- Supaul.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Divisional Commissioner, Koshi Division, Saharsa.
3. The D.C.L.R., Birpur, Supaul.
4. The Circle Officer, Basantpur, Birpur, District- Supaul.
5. Dipak Kumar Swarnkar S/O Jai Narayan Swarnkar Resident Of Ward No. 7, Birpur, P.S- Birpur, District- Supaul.
6. Abdul Kudush S/O Late Abdul Gaffur Resident Of Ward No. 7, Birpur, P.S- Birpur, District- Supaul.
7. Bidya Sagar Rai S/O Late Sarabjit Rai Resident Of Ward No. 7, Birpur, P.S- Birpur, District- Supaul.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Vivek Kumar, Advocate
For the Respondent/s : Mr. Sarnesh Kumar Singh, AAG-13

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 27-01-2026 Heard the parties.

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

*“That this writ application is directed
against the order dated 22.09.12 (Annexure-5)
passed in Case No. 19/2011 by the learned
D.C.L.R., Birpur under the provision of Bihar Land
Dispute Redressal Act, 2009, whereby and
whereunder after being remitted back the matter*





from the leve of learned Divisional Commissioner, Koshi Division, Saharsa, disputed having raised the preliminary objection regarding maintainability of the case on the ground that regarding to issue in question in which question of Title and possession over the lands in question is involved and regarding which title suit is pending and as such under the Bihar Land dispute Redressal Act quashi judicial authority has no jurisdiction to decide the matter but ignoring the same impugned order has been passed as also order dated 16.08.2013 (Annexure-6) passed by the learned Commissioner in Land Dispute Appeal No. 512/12, whereby and whereunder the learned Appellate authority without considering the materials available on records and misconstruing the legal aspect as well as objection raised by the petitioner has dismissed the appeal and the order passed by the learned D.C.L.R. which is not proper in the eye of law. Any other order/orders for granting any other relief/reliefs for which the petitioner found entitled with the facts and circumstances of the case.”





3. Mr. Vivek Kumar, learned counsel for the petitioner
prays for withdrawal of the petition.

4. Permission accorded.

5. Accordingly, the writ petition stands dismissed as
withdrawn.

(Rajiv Roy, J)

Adnan/-

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