

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2419 of 1995

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Smt. Kaushalya Devi, wife of Sri Raghunath Singh, resident of Jamnipur, Near Maner Church, Police Station- Maner, District- Patna.

.... Petitioner.

Versus

1. The State of Bihar
2. The Additional Member, Board of Revenue, Bihar, Patna.
3. The Collector, Patna.
4. The Deputy Collector Land Reforms, Danapur.
5. Sri Jaleshwar Prasad Singh, son of late Kedarnath Singh, resident of Jamnipur, Near Maner Church, Police Station- Maner, District- Patna.
6. Sri Ram Binay Singh, son of late Ragho Singh, resident of Maner, Police Station- Maner, District- Patna.
7. Smt. Hari Devi, wife of Sri Shambhu Singh, resident of Aiyarpur, Police Station- Gardanibagh, District- Patna

.... Respondents

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Appearance :

For the Petitioner/s : Mr. CHANDRA SHEKHAR PD.

For the Respondent/s : Mr. H.P.SINGH (SC)

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH

ORAL JUDGMENT

Date: 16-04-2015

The petitioner prays for setting aside the order dated 28.02.1995, passed by the Additional Member, Board of Revenue, Bihar, Patna in Case No. 436 of 1993, whereby the order dated 13.04.1993, passed by the Collector, Patna in Ceiling Appeal No. 6 of 1989-90 (Annexure-3) and order dated 30.03.1989, passed in L.C. case no. 11 of 1986-87 / 05 of 1988-89 by Deputy Collector Land Reforms, Danapur, were set aside, allowing the revision application.

No one appears on behalf of the petitioner to press this application.

It appears from Annexure-4 that Additional Member,

Board of Revenue, Bihar, Patna has allowed the pre-emption application of respondent no.5 in view of the fact that both are co-sharers and adjoining.

The petitioner's claim, at best, to be the only the adjoining raiyat, as such in my view, the learned Additional Member, Board of Revenue, Bihar, Patna rightly decided that respondent no.5 has the better claim.

In the result, there is no merit in this application and it is, accordingly, dismissed.

(Samarendra Pratap Singh, J.)

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