

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.588 of 2013

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1. HARSHIT NARAYAN CHOUBEY @ HARSHIT CHOUBEY
2. Hari Harayan Choubey
3. Sri Narayan Choubey Appellant No. 1 to 3 are sons of Late Nagendra Choubey All are Resident of Village - Lakhaura, P.O. Yadochapra, P.S. + Anchal - Chanpatia , District- West Champaran.

.... Appellant/s

Versus

1. ANAND PRAKASH CHOUBEY son of Late Devi Choubey
2. Ranjeet Choubey son of Late Gag Damba Choubey.
3. Alka Devi Daughter of Late Dhanjay Choubey All resident of village Lakhaura, P.O. Yado Chapar, P.S. Champatia, Anchal Chanpatia, District- West Champaran.
4. Maya Devi daughter of Late Shatrughan Mishra, Resident - Gobraura, , P.S. Lauriya, District- West Champaran.
5. Most. Kishori Devi W/o Ravindra Choubey
6. Munna Choubey @ Nirmal Choubey son of Late Ravindra Choubey
7. Smt. Usha Devi wife of Kameshwar Choubey , daughter of Late Ravindra Choubey.
8. Nirmal Choubey son of Ravindra Choubey
9. Bijay Choubey son of Balram Choubey.
10. Bibhay Choubey son of Balram Choubey
11. Sanjay Choubey
12. Anil Choubey
13. Sunil Choubey null null
14. Sudhir Choubey All are sons of Late Surendra Choubey All are Resident of - Lakhaura, P.O. Yado Chapar, Anchal + P.S. - Chanpatia, District- West Champaran.
15. Chinta Devi daughter of Late Surendra Choubey , wife of Munna Mishra Resident of Gaunaha, P.S. Ram Garwah, District East Champaran.
16. Kumudani Devi daughter of late Surendra Choubey, wife of Madan Shukla Resident of Madhu Waha P.S. Nautan, District- West Champaran.
17. Sunita Devi daughter of late Surendra Choubey , wife of Binod Kumar Pandey Resident of Igra Nawada, P.S. Govindganj, District- East Champaran.
18. Anita Devi daughter of late Surendra Choubey , wife of Dadan Mishra Resident of Gobraura, P.S. Lauriya, District - West Champaran.
19. Rinuki Devi daughter of Sri Balirram Choubey, wife of Produtukant Mani Mishra Resident - Puraina, P.S. Chanpatia, District- West Champaran.
20. Bina Devi daughter of Sri Baliram Choubey , wife of Binod Mishra Resident of Gobraura, P.S. Lauriya, District- West Champaran.
21. The Secretary, Lands and Reforms Department, Bihar, Patna.
22. The District Magistrate , West Champaran, Bettiah.
23. The Land Acquisition officer, Bettiah, West Champaran.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr.
For the Respondent/s : M/s Chandra Kant and P.D.Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

10 11-12-2015

No one appears on behalf of appellants.

This appeal has abated against respondent nos.15 and 17 and as such the order of present appeal will not cause prejudice to them.

This case related to partition suit where the appellants have claimed partition of the property and there it has been claimed that the Government in order to establish the camp of SSB has acquired large track of land, including the land which is subject matter of the present appeal.

The court below has recorded a finding of having no prima facie case. It is a matter with regard to joint family property claiming partition over the suit land. Any payment to the respondents, save and except, respondent nos. 15 and 17 will be subject to furnishing indemnity bond to the satisfaction of the Land Acquisition Officer.

With this modification, this appeal is disposed of.

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(Shivaji Pandey, J)