

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2114 of 2015

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1. Suresh Singh Son of Late Parikha Singh
2. Sheo Kumari Devi W/o Suresh Singh Both resident of village-Katar, P.O. shankarpur Badihan, Police station-Indrapuri, District-Rohtas.
..... Petitioner/s

Versus

1. The State of Bihar
2. The Chairman, Bihar Land Tribunal, Patna.
3. The Additional Collector, Rohtas at Sasaram.
4. The Land Reforms Deputy Collector, Dehri, Rohtas
5. The Circle Officer, Dehri, Rohtas.
6. Techno Fuel Private Ltd. Proprietor, Dharmeshwaram Shukla Colony, Hino, Ranchi-2 through Rasendra Kumar Singh Son of Rajendra Kumar Singh Resident of village- Katar, P.O.-Shankarpur Badihan, Police Station-Indrapuri, District- Rohtas.
7. Mahangi Kuer W/o Late Chandrama Ram Resident of village- Katar, P.O.- Shankarpur Badihan, Police Station- Indrapuri, District-Rohtas.

..... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary, Adv.
For the Respondent/s : Mr. Harish Kumar, GP-32

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 14-07-2015 Heard Mr. Sanjay Kumar Tiwary, learned counsel for the petitioner and learned counsel for the State.

The petitioner is aggrieved by the order dated 27.11.2014 passed by Member, Judicial, Bihar Land Tribunal, Patna in BLT Case No.99 of 2014 whereby the Tribunal has upheld the order dated 31.7.2013 of the Additional Collector, Rohtas at Sasaram passed in Mutation Revision Case No. 6 of 2013 whereby the order dated 3.4.2012 passed by the Deputy Collector Land Reforms in Mutation Appeal No.75 of 2008-09 has been upheld. The Deputy Collector Land Reforms while allowing the appeal of

the private respondent no.6 has directed him to make corrections in the records and to issue receipt in the name of the private respondent no.6.

The records of the case manifests that the order of the Circle Officer in favour of the private respondent no. 6 has been affirmed in appeal, in revision and ultimately by the Land Tribunal. There is thus concurrent findings of the three statutory authorities as regarding the claim of the private respondent no.6 on the issue of legal right as well as possession.

Although the orders are sought to be assailed by the petitioners inter alia on grounds of adverse continued possession but Mr. Tiwary even while making such submission has not been able to show any document to provide foundation for the claim of the petitioner regarding possession over the land in question.

In the circumstances, the orders impugned cannot be faulted with warranting interference. The writ petition is disposed of.

The petitioners if so advised may take recourse to such other remedy as may be available to them in law to establish their claim on the basis of continued possession over the land in question, the details of which finds mentioned in paragraph 14 of the writ petition.

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(Jyoti Saran, J)