

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.690 of 2003

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1. Dwarika Singh
2. Deo Murat Singh
3. Rajeshwar Singh
4. Shiv Murat Singh
All 1 to 4 are sons of Late Jang Bahadur Singh and are residents of village –
Jalalpur, P.S. – Karmchat, District – Kaimur (Bhabua)

.... Petitioner/s

Versus

1. The State of Bihar
2. The Collector cum District Magistrate, Kaimur (Bhabua)
3. The Circle Officer, Rampur Block, District – Kaimur (Bhabua)
4. Kapinder Singh, son of Late Naresh Singh, Resident of Village – Jalalpur, P.S.
– Karamchat, P.O. – Dev Pokhar, District – Kaimur (Bhabua)

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. BASANT KR.CHOUDHARY
Mr. Shaishav Kumar
For the Respondent/s : Mr. (GP2)
Mr. Ashok Kumar Mishra-2
Mr. Mrityunjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT
Date: 04-02-2015

04.02.2015

Heard learned counsel for the parties.

If the sale-deed of the petitioner is authentic in terms of Annexure-1, let him file an appropriate suit before the Court of competent jurisdiction for an appropriate declaration and even for, may be cancellation of the Basgit Parcha, for which adequate evidence would be required to be taken with regard to the authenticity of the claim of this petitioner viz-a-viz the private-respondent, in whose favour, the settlement has been made. Such issue cannot be adjudicated in the writ

application in the controversies of facts and evidence available on record.

Writ application stands disposed off with observation as above.

(Ajay Kumar Tripathi, J.)

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