

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10462 of 2005

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1. Dwarika Singh
 2. Sita Ram Singh
 3. Raj Bansh Singh
 4. Sanjay Kumar Singh – all 1 to 4 sons of late Ramjee Singh, resident of Village- Hinwata, P.S. – Bhagwanpur, District- Kaimur (Bhabhua).
 5. Nand Lal Singh, Son of late Ram Dahin Singh, resident of Village- Hinwata, P.S. – Bhagwanpur, District – Kaimur (Bhabhua).
- PETITIONERS Versus
1. The State of Bihar through the Collector, Kaimur (Bhabhua).
 2. The Deputy Collector Land Reforms, Kaimur (Bhabhua).
 3. Anchal Adhikari, Bhagwanpur, Kaimur (Bhabhua)
 4. Ajit Kumar Singh, son of late Chhabinath Singh
 5. Ashok Kumar Singh, Son of Asharfi Singh.
 6. Vinod Kumar Singh, Son of Asharfi Singh
 7. Gauri Shankar Singh, Son of Asharfi Singh
 8. Ram Bilas Singh, Son of Saraju Singh – all resident of Village – Binawata, P.S. – Bhagwanpur, District – Kaimur (Bhabhua).
- Respondents 2nd Set.
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Appearance :

For the Petitioner/s : Mr. Srikant Pandey
For the Respondent No.1 to 3 : Mr. Ajay Kumar Sharma, AC to PAAG
For the Respondent No. 4 to 8 : Mr. Rewti Kant Raman

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

7 06-11-2015 Heard the parties.

The petitioners are aggrieved by the order dated 16.07.2005 passed in Mutation Revision Case No. 11 of 2004-05 by the respondent District Collector, Kaimur at Bhabua, as contained in Annexure-5, whereby the aforesaid mutation revision case filed on behalf of the petitioners has been dismissed and the order passed by the respondent D.C.L.R., Bhabua has been affirmed.

Though the learned counsel appearing on behalf of the petitioners and the learned counsel appearing on behalf of the private respondents have raised various issues with respect to the

orders passed by the revenue authorities regarding the lands in question, but finally both of them have conceded that with respect to the lands under dispute, Partition Suit No. 381 of 2003 is pending in the civil court at Bhabua in which both sides are parties.

In above view of the matter, this writ petition is disposed of with a liberty to the parties to raise all the issues of facts and law in support of their respective claims of right, title and possession over the lands in question in the aforesaid pending partition suit, which shall be decided strictly in accordance with law on the basis of the evidence/ material produced by the parties, but the findings recorded by the revenue authorities in the impugned mutation proceeding shall not adversely affect or prejudice the case of either parties in the aforesaid pending partition suit.

The writ petition stands finally disposed of with the observations and directions made above.

(Birendra Prasad Verma, J)

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