

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 16716 of 2008

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Anusuiya Sharma W/o Late Shyam Sunder Sharma, resident of Mohalla –
Amla Tola, Girls School Road, P.S. and District – Katihar.

.... Petitioner

Versus

1. The State of Bihar
2. The Collector, Katihar.
3. The Additional Collector, Katihar.
4. The Deputy Collector, Land Reforms, Katihar.
5. The Anchal Adhikari, Katihar.
6. Firdausi Begum W/o Md. Jamal, Resident of Chaudhari Mohalla, P.S.
and District – Katihar.

.... Respondents

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with

Civil Writ Jurisdiction Case No. 17055 of 2008

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Anusuiya Sharma W/o Late Shyam Sunder Sharma, resident of Mohalla –
Amla Tola, Girls School Road, P.S. and District – Katihar.

.... Petitioner

Versus

1. The State of Bihar
2. The Collector, Katihar.
3. The Additional Collector, Katihar.
4. The Deputy Collector, Land Reforms, Katihar.
5. The Anchal Adhikari, Katihar.
6. Md. Israil S/o Md. Shamsuddin, resident of village – Pakur, P.S.
Pakur, District - Sahebganj.

.... Respondents

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Appearance :

(In CWJC No.16716 of 2008)

For the Petitioner/s : Mr. Dharendra Kr.Jha 2

For the Respondent/s : Jahan Ara, AC to A.A.G.V
Mr. Rama Nand Poddar

(In CWJC No.17055 of 2008)

For the Petitioner/s : Mr. Dharendra Kr.Jha 2

For the Respondent/s : Dr. Raj Kumar Singh, AC to SC-8
Mr. Rama Nand Poddar

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

10. 21-04-2015 In both the writ petitions, since parties are same and

only sale-deeds are different, both the writ petitions were heard

together with the consent of both the parties and are being

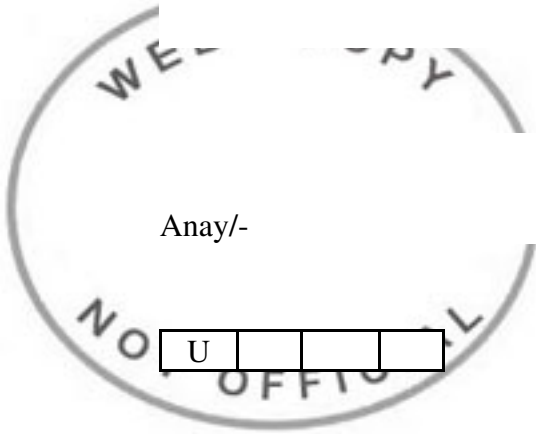
disposed of by this common order.

In both the writ petitions, the petitioner has assailed the order passed in mutation revision. It has been pleaded that on the basis of a sale-deed, private respondent i.e. respondent no. 6 in a camp court got the mutation recorded in her/his favour. Against the order of the Circle Officer, the petitioner preferred an appeal, which was dismissed and even the mutation revision has also been rejected. In both the writ petitions, a specific stand has been taken that petitioner has filed a title suit bearing Title Suit No. 82 of 2000 for declaration of title and confirmation of possession over the land in question. It has further been stated that after filing of the said suit, the sale deed in question was executed by the heirs of Devanand Das in favour of private respondent no. 6. The said sale-deed has also been challenged in the suit and respondent no. 6 has been added as defendant in the suit, which is pending for consideration before the Sub-Judge, Katihar.

In view of the specific stand that for declaration of tile as well as for confirmation of possession, the aforesaid suit is pending before the court of competent jurisdiction, this Court is of the opinion that there is no reason for passing any positive order in the aforesaid writ petitions.

Both the writ petitions stand disposed of.

It goes without saying that the result of the title suit
will have its binding effect on the parties.



(Rakesh Kumar, J.)