

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.274 of 1995

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1. Ratan Kumar Mandal

2. Amol Kumar Mandal

Both sons of Bhim Mandal, residents of Village Athare Gopalpur, P.S. Pranpur,
Anchal Pranpur, District Katihar

.... Petitioner/s

Versus

1. The State of Bihar

2. Collector, Katihar

3. Commissioner, Purnea Division, Purnea

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amar Nath Mishra, Advocate

Mr. Sahjanand Sharma, Advocate

For the State : Mr. Din Bandhu Singh, GP-9

Mr. Sandip Singh, AC to GP-9

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CORAM: HONOURABLE MR. JUSTICE V.N. SINHA

ORAL JUDGMENT

Date: 09-07-2015

Heard learned counsel for the petitioners and the

State.

2 Learned counsel for the petitioners assailed the

order dated 10/16.09.1991, passed by Collector, Katihar in Case No.

313/1987-88, Annexure-7 as also undated order passed by

Commissioner, Purnea Division, Purnea in Katihar Revenue Revision

Case No. 55/1991-92, Annexure-8 whereunder settlement of 1.86

decimals of land in Plot No. 82 appertaining to Khata No. 1 Thana

No. 189 of village Baina P.S. Pranpur District Katihar made in favour

of the petitioners has been cancelled. In this connection, they claimed

title over the lands in question through Parwana, Annexure-5 and the

registered sale deed dated 28.04.1982, Annexures-2, 3. The findings recorded by Collector, Katihar and the Commissioner, Purnea Division, Purnea shall be subject to the contrary finding recorded by the competent civil court and it shall be open for the petitioners to approach the civil court for declaration of title and confirmation of possession over aforesaid lands in question which has come under cloud in the light of the aforesaid two orders passed by the revenue authorities as during pendency of the application petitioners were allowed status quo by this Court under order dated 17.07.1995.

3. With the observation aforesaid, the writ petition is disposed of.

(V.N. Sinha, J)

Rajesh/-

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