

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6773 of 1997

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Ratneshwar Singh & Ors

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s :

For the Respondent/s :

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
 PRATAP SINGH**
ORAL ORDER

7 14-05-2015 No one appears for the petitioners and the State.

The petitioners have challenged the order dated 4.2.1997 passed by the Collector, Sitamarhi in Case No.56 of 1994, whereby he affirmed the order dated 29.4.1994 passed by the Anchal Adhikari in Basgit Parcha No.8/1993-94.

It appears that the petitioner filed Title Suit No.71 of 1993 in which the private respondents agreed to vacate the land which was given to them vide Basgit parcha. However, subsequently the private respondents filed a suit for cancelling the compromise decree.

Nothing has been brought on record as to what has happened in the subsequent Title Suit No.118 of 1994 filed by the respondents.

Till a decision in Title Suit No.118 of 1994 is made, the

decree in T.S. No. 71 of 1993 in which the compromise petition was filed would prevail. As such, the impugned order passed by the Collector is set aside and the matter is remanded for fresh consideration in light of the observations made above.

In the result, this writ application is partly allowed to the extent mentioned above.

(Samarendra Pratap Singh, J)

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