

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7154 of 1999

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Kamini Prasad, son of Nagri Prasad, resident of Village-Mirja Pure Jegjeewan,
Town, P.S. and P.O. Nawadah, District Nawadah

.... Petitioner/s

Versus

1. The State of Bihar
2. The Superintendent of Survey Gaya, Municipality of Nawadah
3. Mr. Brahamdeo Lal, son of Babu Gopi Lal, resident of Village-Mirjapure Jagjeewan, Town, P.S. and P.O. & District Nawadah.
4. Assistant Survey Superintendent, Nawadah

.... Respondent/s

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Appearance :

For the Petitioner/s : Dr. Amitesh Kumar

For the State : Mr. (GP9)

For the Respondents : Mr. Arvind Kumar Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 26-02-2015

Heard the parties.

In the present writ petition claim has been made by the petitioner that part of cadastral plot nos. 241 and 242 was recorded in the name of ancestral of the petitioner and during the revisional survey it became Plot Nos. 479 and 480 which was recorded in the name of the State of Bihar.

Against that entry petitioner filed title suit vide T.S. No.50 of 1968 which was decided against him. Against that he filed title appeal vide T.A. 46 of 1987/9 of 1985 and that was decided against him. Against the judgment and decree of affirmance petitioner has filed second appeal vide S.A. No. 163 of 1989 which is pending before this Court.

In the present case petitioner is challenging the entry showing the land as Government of Bihar. As second appeal with respect to the right, title and possession is pending before this Court, any entry made in the revisional survey will be subject to the result of the second appeal as aforesaid.

With the aforesaid observation and direction this writ petition is disposed of.

Vinay/-

(Shivaji Pandey, J)

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