

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9323 of 2009

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Ram Kewal Mahto, son of late Babulal Mahto, resident of village-Kharauni,
P.S.-Bihea, District-Bhojpur at Ara.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue, Govt. of Bihar, Patna.
 2. The District Collector, Bhojpur at Ara.
 3. The Deputy Collector, Land Reforms, Jagdishpur (Bhojpur).
 4. Anchal Adhikari, Bihea, District-Bhojpur.
 5. Deo Chandra Mishra
 6. Premchandra Mishra
- Serial nos.5 and 6 both sons of late Ramchandra Mishra, resident of village-Nargada, P.S.-Shahpur, District-Bhojpur.
7. Buchi Kuer, wife of late Harish Chandra Mishra
 8. Sushil Chandra Mishra
 9. Krishna Chandra Mishra
- Both sons of late Harish Chandra Mishra, all resident of village-Nargada, P.S.-Shahpur, District-Bhojpur.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Raghunath Singh Mr. Markandeya Singh
For the Respondent nos.1to4:		Mr. Anil Kumar Sinha, GA-9 Mrs.Nutan Kumari Sinha, AC to GA-9
For the Respondent nos.5&6:		Mr.Md.Waliur Rahman Mr.Nishant Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

5 18-08-2015 The petitioner is aggrieved by the order dated 24.04.2009 (Annexure-3) passed in Mutation Revision Case No.04 of 2007-08 by the respondent District Collector, Bhojpur, Ara, whereby the aforesaid revision application filed on behalf of the private respondent nos.5 and 6 has been allowed and the orders passed by the respondent D.C.L.R. and Anchal Adhikari have been set aside.

The petitioner claims to be the purchaser of the land in question from the respondent nos. 7 to 9, who are descendants of one Harish Chandra Mishra. The respondent District Collector

has passed the impugned order in the light of the judgment and decree passed in Title Suit No.80 of 1997 by a Civil Court of competent jurisdiction in which respondent nos.5 and 6 at one side and the aforesaid Harish Chandra Mishra at the other side were parties.

In view of the fact that the impugned order passed by the respondent District Collector is based on judgment and decree passed by the Civil Court, this Court does not find any good ground to interfere with the impugned order.

Accordingly, the writ petition is dismissed. However, the parties are left to bear their own costs.

(Birendra Prasad Verma, J)

Arvind/-

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