

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.853 of 2015

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1. Syed Zahurul Hassan Son of Late Syed Nurul Hassan, Resident of Muauja- Singriyama, P.O. Singriyama, Under P.S. Fatuha, Present P.S. Sahjahanpur, Presently Residing at Mohalla- Paschim Darwaza, Behind Oriental College, P.S. Khajekalan, Patna City, Distt. Patna

.... Petitioner/s

Versus

1. The State of Bihar.
2. Collector, Patna.
3. D.C.L.R., Patna (Revenue).
4. The Circle Officer Daniyawa.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mohit Kumar, Adv.

For the Respondent/s : Mr. Ajay Bihari Sinha, SC-19

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 23-03-2015 Heard learned counsel for the parties.

Although the petitioner questions the construction of a boundary wall over a Kabristan which he claims to be private in nature but the counter affidavit reflects that the petitioner in such endeavour had sought mutation of the plot in question by filing Mutation Case No. 27 of 2012-13 which was rejected on 27.6.2012 by the Circle Officer only to be renewed again in Mutation Case No. 672 of 2013-14 and which again has been rejected.

It is the stand of the respondent that no appeal has been filed and which position has not been contested meaning thereby the

rejection has attained finality. It is further stated that the boundary wall has already been constructed vide Circular No. 3/2011-12.

In such circumstance of the matter no directions can be issued. The petitioner if so advised, may take recourse to such other remedy that may be available to him in law for establishing his right, title and interest over the plot in question.

This application is disposed of.

(Jyoti Saran, J)

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