

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8367 of 2011

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Uma Shankar Singh Son Of Sri Tej Narayan Yadav, Resident of Mohalla-Nandgola, Main Road, Patna City, P.S.-Malsalami, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Collector, Patna.
3. The S.D.O.-Cum-D.C.L.R., Patna City.
4. The Circle Officer, Patna Sadar, District-Patna.
5. Md. Sayed Shah Ishrar Hussain Son of Late Sayed Shah Wazid Hussain Resident of Dargah Road, Arjan, P.S.-Sultanganj, District-Patna.
6. Mahmood Fatima Daughter of Late Sayed Shah Ashique Hussain Resident of Dargah Road, Arjan, P.S.-Sultanganj, District-Patna.
7. Anant Kumar Khan, the Joint Secretary, Maharaja Kunwar Roop Narayan Trust, Deewan Mohalla, Patna City.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Birju Prasad

For the Respondent No.1 to 4 : Mr. Krishna Chandra, AC to AG

For the Respondent No.6 : Mr. Dronacharya

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 24-08-2015 Heard learned counsel appearing on behalf of the petitioner, learned A.C. to A.G. appearing on behalf of the respondent no.1 to 4 and the learned counsel appearing on behalf of the respondent no.6.

The simple grievance of the petitioner in the present writ petition is that against the order dated 24.06.2007 (Annexure-3) passed analogously in Miscellaneous Case No. 46 of 2004-05 and Miscellaneous Case No. 49 of 2004-05 by the respondent S.D.O.-cum- D.C.L.R., Patna City, he filed Mutation Revision No. 50 of 2009 before the respondent District Collector, Patna, in the light of the observations made by a Bench of this Court by order dated 30.01.2009 (Annexure-4) passed in C.W.J.C. No.13189 of 2008, but till date aforesaid mutation revision filed on behalf of the petitioner has not been disposed of despite passage of more than

five years.

Though the writ petition was filed way back on 09.05.2011 but till date no counter-affidavit has been filed on behalf of the respondent no. 1 to 4. However, learned counsel appearing on behalf of the respondent no.6 submits that hearing of the mutation revision case is going- on on day to day basis.

In above view of the matter, the present writ petition is disposed of with a direction to the respondent District Collector, Patna, to dispose of the aforesaid Mutation Revision Case No. 50 of 2009 after giving opportunity of hearing to all concerned at an early date preferably within a period of three months from the date of receipt/ production of a copy of this order. The parties shall be at liberty to raise all the issues of facts and law before the respondent District Collector, which may be available to them.

The writ petition stands finally disposed of with the observations and directions made above.

(Birendra Prasad Verma, J)

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