

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20472 of 2011

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1. Anzarul Haque Son Of Late Abdul Azeej Mian Resident Of Village -
Kasar Kalyanpur, Tola- Belhari, Police Station- Ariaria, District -
Sheikhpura At Present Bighapur (Jamalpur) Ward No. 2 Police Station -
Sheikhpura, District - Sheikhpura

.... Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Sheikhpura
3. The Circle Officer, Sheikhpura
4. Nazma Praveen Wife Of Md. Kuddus Ansari Resident Of Mohalla -
Skunat (Sheikhpura), Police Station- Sheikhpura, P.O. Sheikhpura, District
- Sheikhpura

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ratnakar Ambastha

For the Respondent/s : Mr. Nirbhay K.Singh Gp26

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 29-09-2015 Heard both sides.

Petitioner is involved in a land dispute with his sister (respondent no. 4). A notice issued by the Circle Officer calling upon the petitioner to produce his document of title over the plots of land mentioned therein has been impugned in the present writ petition.

It has been submitted that a title suit with respect to the subject land is pending at the instance of the writ petitioner vide Title Suit No. 32 of 2011. The right, title and interest of the parties shall be governed by the adjudication made therein by the Court.

The respondents have taken a stand that the notice was

issued to appreciate the possession of the parties over the subject land. This may be for the purpose of realization of rent on mutation.

Law is settled. Any order passed directing mutation shall abide by the final adjudication of right, title and interest in respect of the subject land by the Court of competent civil jurisdiction. Any order passed by the Circle Officer pertaining to the possession of the land obviously in the present case would abide by the decision in the pending title suit.

In this view of the matter, this Court is not inclined to entertain the present writ petition and pass any order thereon. The writ application is disposed of.

(Kishore Kumar Mandal, J)

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