

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7000 of 1999

Saraswati Mishra, son of Late Nakchhed Mishra, resident of Village- Kehuniya,
P.S.- Sikarpur, District- West Champaran. Petitioner.

Versus

1. The State of Bihar
2. The Collector, West Champaran, Bettiah
3. The Additional Collector, West Champaran, Bettiah.
4. The Land Revenue, Deputy Collector, Narkatiaganj, West Champaran.
5. The Anchal Adhikari, Narkatiaganj Anchal, West Champaran.
6. Hazari Mishra, son of Balbhadra Mishra
7. Krishna Mohan Mishra, son of Deo Nath Mishra.
8. Lotan Tiwary, son of Bishwanath Tiwary.

All residents of Village- Kehuniya, P.S.- Sikarpur, District- West Champaran.

.... Respondents

Appearance :

For the Petitioner/s : Mr. SANJEEV KUMAR I

For the Respondent/s : Mr. (GP2)

Mr. Jagannath Singh

Mr. Suman Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH

ORAL JUDGMENT

Date: 02-07-2015

No one appears on behalf of the petitioner.

Counsel for the State is present.

The petitioner prays for quashing the order dated 11.01.1999, passed by the Additional Collector, West Champaran, Bettiah in Mutation Revision Case No. 51 of 1998-99 setting aside the order dated 06.01.1998 passed by the Deputy Collector Land Reforms, Narkatiaganj intern setting aside the order of Circle Officer, Narkatiaganj, West Champaran.

The petitioner has raised his grievance that the learned

Additional Collector, West Champaran, Bettiah overlooking the order of the court of Sub-Judge, Bettiah in Execution Case No. 6 of 1990, whereby the competent civil court had not put him in possession.

In this view of the matter, the order dated 11.01.1999 passed by the Additional Collector, West Champaran, Bettiah in Mutation Revision Case No. 51 of 1998-99 is set aside and the matter is remitted to Additional Collector, West Champaran, Bettiah to decide the issue afresh after hearing the parties.

This application is allowed to the extent mentioned above.

(Samarendra Pratap Singh, J.)

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