

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22883 of 2013

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Yogendra Pandit son of Late Gokhula Pandit, resident of Village- Banyari,
P.S.- Gopalganj, District- Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Gopalganj
3. The Circle Officer, Block- Uchkagaon, District- Gopalganj
4. The Karamchari, Block Office Uchkagaon, District- Gopalganj

.... Respondent/s

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Appearance :

For the Petitioner/s :

For the Respondent/s : Mr. Asit Kumar Jha, AC to GP 6

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 21-12-2015

The petitioner has filed the present writ petition seeking a direction to the respondents for consideration of his petition dated 20.03.2013 for mutation of the lands in question in his favour, which have been detailed in paragraph 1 of the writ petition itself.

A detailed and exhaustive counter affidavit has been filed on behalf of the respondent no. 2 way back on 17th December, 2014, wherein it has been stated that the claim of the petitioner was considered and on examination and after holding enquiry it was found that the petitioner was not in possession over the lands in question; therefore, he is not entitled for mutation of the lands in question.

Though a copy of the aforesaid counter affidavit was served upon the learned counsel appearing on behalf of the petitioner way back on 19.11.2014, yet no rejoinder affidavit has been filed despite passage of more than one year, controverting the averments made in the aforesaid counter affidavit.

In above view of the matter, the writ petition is

dismissed, but a liberty is granted to the petitioner to approach the Civil Court of competent jurisdiction for getting his right and title decided over the lands in question in accordance with law.

(Birendra Prasad Verma, J)

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