

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20872 of 2013

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1. Baban Singh
2. Bigan @ Bigan Singh
Both Sons Of Late Jatan Singh, Resident Of Village- Rampur Khoram,
Police Station- Marhawrah, District- Saran At Chapra, Presently Residing
At Gandhi Chowk, Chapra, P.S.- Chapra (Town), District- Saran At Chapra

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Chairman, Nagar Parishad, Chapra
3. The Executive Officer, Nagar Parishad, Chapra
4. The Registrar, District Registry Office, Saran at Chapra
5. Leelawati Devi, Wife of Ravindra Prasad Shrivastava
6. Mamta Shrivastava, Daughter of Durga Prasad Shrivastava
7. Anil Shrivastava, Son of Durga Prasad Shrivastava
S.No. 5 to 7 are Residents Of Mamta Niwas, Gosai Tola, Chutia, Ranchi
(Jharkhand)

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Satya Prakash, Adv. Mr. Bidhan Chandra, Adv.
For the Respondent nos.2&3	:	Mr. Rakesh Kumar Tiwary, Adv.
For the Respondent nos.5to7	:	Mr. Prabhat Kumar Sharan, Adv. Mr. Hemant Kumar Sharan, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 16-12-2015 Heard the parties.

Indisputably, the petitioners vis-à-vis the respondent nos.5 to 7 are claiming their right, title and possession over the lands in question, fully detailed in paragraph 4 of the writ petition.

Though, the learned counsel appearing on behalf of the petitioners as also the learned counsel appearing on behalf of the respondents have argued the matter at some length, but finally all of them conceded that Title Suit No.359 of 2015 filed by the private respondent nos.5 to 7 is already pending before the competent Civil Court at Chapra in which both sides are parties.

In above view of the matter, the present writ petition

is disposed of with an observation that the aforesaid Title Suit No.359 of 2015 shall be decided on its own merit on the basis of the evidence/materials produced by the parties in support of their respective claims strictly in accordance with law, but without being prejudiced/influenced by any findings recorded in the impugned order by the Executive Officer, Nagar Parishad, Chapra, which is subject matter of challenge in the present proceeding.

The parties shall be at liberty to raise all the issues of facts and law with respect to the lands in question before the Civil Court, Chapra, which may be available to them.

(Birendra Prasad Verma, J)

Arvind/-

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