

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22077 of 2011

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Jugeshwar Prasad Yadav Son of Late Darbari Prasad Yadav, Resident of
Village Dumari , P.S. and Anchal Ramgarhawa, District East Champaran
..... Petitioner/s

Versus

1. The State of Bihar through Secretary Department of Revenue and Land Reforms , Old Secretariat, Patna
 2. The Additional Collector, East Champaran , Motihari
 3. The Land Reforms Deputy Collector, Raxaul, District East Champaran
 4. The Circle Officer, Ramgarhawa, District East Champaran
 5. The Circle Inspector, Ramgarhwa, District East Champaran
 6. Subodh Kumar Yadav Son of Late Bir Bahadur Pd. Yadav of Village Dumari, P.S. & Anchal Ramgarhwa District East Champaran
 7. Shesh Nath Prasad Yadav Son of Late Bir Bahadur Prasad Yadav of Village Dumari, P.S. and Anchal Ramgarhwa, District East Champaran
..... Respondent/s
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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh
Mr. Ashok Kumar

For the Respondent No.1 to 5 : M/s. Nutan Kumari Sharma, AC to GA-9

For the Respondent No. 6 & 7 : Mr. Aditya Naath Jha
Mr. Binod Kumar Yadav

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 08-09-2015 Heard the parties.

The petitioner is aggrieved by the order dated 21.09.2011 (Annexure-5) passed in Revenue Appeal No. 3 of 2010-11 by the respondent Additional Collector, East Champaran, Motihari, whereby the matter has been remitted back to the respondent Anchal Adhikari for deciding the claim of mutation of the parties with respect to the lands under dispute.

From perusal of the impugned order dated 21.09.2011, it is apparent that the entire claims of the parties for mutation of the lands in question are to be decided afresh strictly in accordance with law, after giving an opportunity of hearing to the parties as also after making local inspection.

In above view of the matter, this Court is of the opinion that the petitioner as also the private respondents should appear before the respondent Circle Officer and raise all the issues of facts and law, which may be available to them with respect to the lands under dispute.

The writ petition stands dismissed with the observations and directions made above.

(Birendra Prasad Verma, J)

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