

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16472 of 2008

=====

Smt.Anita Devi @ Kumari Anita Singh, d/o Late Moti Singh and w/o
Satyendra Kumar Singh, resident of village – Girdhariya, P.O. and P.S.
Sheosagar, District Rohtas

.... Petitioner/s

Versus

1. The State of Bihar
2. The Collector, Rohtas at Sasaram
3. The Deputy Collector, Land Reforms, Sasaram, district Rohtas
4. The Anchal Adhikari, Sheosagar Block, Sheosagar, District Rohtas
5. Most. Bigna Kuer, widow of Late Moti Singh, resident of village -
Girdhariya, P.O. and P.S. Sheosagar, District Rohtas

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh
Mr. Surendra Kumar Mishra

For the Respondent/s :

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 26-03-2015 Heard learned counsel for the petitioner and learned AC
to SC No. 4.

The petitioner, invoking writ jurisdiction of this court under Article 226 of the Constitution Of India has prayed for quashing of an order dated 28.12.2006 passed by Collector, Rohtas at Sasaram, whereby he dismissed the Mutation Revision Case No. 25 of 2004. The revision was preferred against the order dated 23.2.2004 passed by Deputy Collector Land Reforms, Sasaram, in Mutation Appeal No. 76 of 2003-04. The learned D.C.L.R. had affirmed the order of the Circle Officer dated 19.3.2002 / 26.3.2002 in Mutation Case No. 1323 of 2001-2002.

It was submitted by learned counsel for the petitioner that petitioner is daughter of second wife of late Moti Singh and since the land was mutated in the name of widow of Late Moti Singh, the petitioner has raised dispute. It has been accepted by learned counsel for the petitioner that the said dispute is pending before the court of competent jurisdiction vide Title Suit No. 273 of 2006.

The court is of the opinion that in any event mutation order does not decide title of a party. Accordingly, keeping in view the fact that title suit is pending before the competent court, there is no need to pass any positive order.

The writ petition stands disposed of.

(Rakesh Kumar, J)

Praful/-

U			
---	--	--	--