

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1811 of 2014

Nazrul Hasnain Son Of Late Anzar Husnain Resident Of Mohalla- White House Compound, P.S.- Rampur, District- Gaya

.... Petitioner/s

Versus

- 1. The State Of Bihar Through The Chief Secretary, Bihar, Patna
- 2. The Collector, Gaya
- 3. The Sub-Divisional Officer, Sherghati, Gaya
- 4. The Land Reform Deputy Collector, Sherghati
- 5. The Circle Officer, Gurua, Gaya
- 6. The Circle Inspector-Cum-Halka Karamchari, Gurua Halka, Gurua, Gaya
- 7. The Officer In-Charge, Gurua Police Station, Gaya
- 8. Syed Md. Haroon S/O Late Anzar Hussain Quiser House Jagjevan Road Gaya P.S. Rampur, Dist.- Gaya

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. OM PRAKASH SINGH
For the Respondent/s : Mr. AAG-13 A.K.CHOUDHARY

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL JUDGMENT
Date: 03-08-2016

Heard Mr. Ahsan for the petitioner and the State.

The petitioner challenges the issuance of rent receipt in favour of the private respondent who allegedly obtained the sale deed from Haroon against whom the petitioner filed a title suit which is pending consideration before the court below.

Mr. Ahsan informed the Court that the private respondent herein is also a party to the said title suit. It appears that in the meanwhile the private respondent got a mutation order and rent receipt(s) showing payment of land rent in his favour. The petitioner challenges those proceedings and issuance of rent receipt(s) alleging that it was obtained in illegal manner.

Indisputably, a suit is pending relating to the subject land. The

adjudication made thereat shall decide the right and interest of the party. Obviously, the mutation in the records of right in respect of the subject land would also abide by the final adjudication/decision in the suit.

In the circumstances, the Court is not inclined to entertain the application and grant relief permitting the petitioner to agitate the same, if so advised, in the pending suit. However, it is clarified that the mutation orders, if any, passed by the authority in favour of any party to the suit shall be governed by the decision in the pending suit.

The writ application stands disposed of.

(Kishore Kumar Mandal, J)

HR/-

U			
---	--	--	--