

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8131 of 2014

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1. Srikant Singh Yadav, S/o Late Bhuneshwar Singh Yadav
2. Uma Kant Singh Yadav, S/o Late Bhuneshwar Singh Yadav
Both (1) and (2) are Resident of Village- Kehora, P.S.- Tekari, District- Gaya

.... Petitioner/s

Versus

1. The State of Bihar through its Collector, Gaya
2. The Land Reforms Deputy Collector, Tekari, Gaya
3. The Sub-Divisional Officer, Tekari, Gaya
4. The Circle Officer, Tekari, Gaya
5. Bhuneshwar Manjhi, S/O Late Bhona Manjhi, Resident of Village- Malsari, P.O.- Lakshmipur, P.S.- Tekari, District- Gaya
6. Mandal Manjhi, S/o Late Bithal Manjhi, Resident of Village- Malsari, P.O.- Lakshmipur, P.S.- Tekari, District- Gaya

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Sinha, Adv.
For the Respondent nos.1to4 : Mr. Vivek Prasad, GP-7
Mr.S.K.Saraf, AC to GP-7

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 19-09-2016 Heard the learned counsel appearing on behalf of the petitioners and the learned State counsel appearing on behalf of the respondent nos.1 to 4.

The learned counsel appearing on behalf of the petitioners has fairly conceded that the impugned order dated 26.12.2013 passed by the respondent Anchal Adhikari, Tekari, Gaya, as contained in Annexure-4, has already been implemented and the petitioners have been dispossessed from the lands in question. However, he contends that Title Suit No.518 of 2008 is still pending in the court of learned Sub-Judge-1st, Gaya.

In above view of the matter, since the order impugned has already been implemented, the present writ petition has become infructuous and is, accordingly, dismissed.

However, the petitioners shall be at liberty to raise all the issues of facts and law, which may be available to them with respect to the lands in question, in the aforesaid pending Title Suit No.518 of 2008 said to be pending in the court of learned Sub-Judge-1st, Gaya and the judgment and decree passed by the learned Civil Court shall bind the parties.

(Birendra Prasad Verma, J)

Arvind/-

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