

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4967 of 2009

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1. Arun Kumar Singh son of late Kameshwar Singh
 2. Birendra Prasad Singh
 3. Harendra Prasad Singh
 4. Shivendra Prasad Singh
 5. Bhupendra Kumar Singh, all sons of late Maheshwar Pd. Singh, all resident of village and Post Office Boruney Asthan, P.S. Chautham, District Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Collector, Supaul.
3. The Land Reforms Deputy Collector, Supaul.
4. The Sub Divisional Officer, Supaul.
5. The Circle Officer, Kisanpur, District Supaul.
6. The Executive Magistrate-cum- Special Officer, Record Room, Saharsa.
7. Jubeda Khatoon @ Bibi Jubera Khatoon, wife of Tamiz Khan, resident of village Saurajaan, P.S. Raghobpur, District Supaul.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Narayan Singh

For the Respondent No.1 to 6 :Mr. Thakur Jain Singh, AC to SC-26

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 10-05-2016 Heard the parties.

The petitioners are aggrieved by the order dated 20.03.2008 passed in Jamabandi Cancellation Appeal No. 194 of 2005 read with Jamabandi Cancellation Appeal Case No. 191 of 2005 by the respondent District Collector, Saupaul, as contained in Annexure-6 and 6/1 to the writ petition, whereby aforesaid jamabandi appeal preferred on behalf of the petitioners has been dismissed with a liberty to them to approach the civil court of competent jurisdiction for getting their right and title declared over the lands in question. The status quo has also been directed to be maintained by the parties over the lands in question till final decision by the competent civil court.

Apparently, the claims raised on behalf of the petitioners

with respect to the lands in question have not been accepted either by the respondent D.C.L.R., Supaul or by the respondent District Collector, Saupaul. However, liberty has been granted to the petitioners to approach the civil court of competent jurisdiction.

In above view of the matter, this Court does not feel persuaded to interfere with the impugned order passed by the respondent District Collector, Supaul.

Accordingly, the writ petition is dismissed.

However, if the petitioners file an appropriate civil suit before the competent civil court for grant of appropriate relief with respect to the lands in question in the light of the order passed by the respondent District Collector, Supaul then the same shall be considered and decided on its own merits without being prejudiced by the dismissal of the present writ petition.

(Birendra Prasad Verma, J)

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