

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1231 of 2006

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1. Chandra Shekhar Singh
2. Ram Naresh Singh
Both sons of late Panchu Singh
3. Krishna Kumar Singh
4. Anil Singh
5. Sunil Singh
6. Sushil Singh @ Sushil Kumar Singh
All sons of late Satya Narayan Singh
7. Rajendra Singh @ Rajendra Pd. Singh, son of late Brahmadeo Singh
8. Ranjan Singh @ Ranjan Kumar Singh, son of late Yogendra Singh
9. Upendra Singh, son of late Brahmadeo Singh
All petitioner nos.1 to 9 are resident of village-Rajaba, P.S.-Biraul, District-Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Collector-cum-District Magistrate, Darbhanga.
3. Sub-Divisional Officer, Biraul, District-Darbhanga.
4. Anchaladhikari, Biraul, District-Darbhanga.
5. Naveen Chandra Singh
6. Bipin Chandra Singh
7. Nalin Chandra Singh
8. Parveen Chandra Singh
9. Vilin Chandra Singh
All sons of Ramchandra Singh, resident of village-Rajaba, P.S.-Biraul, District-Darbhanga.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Satish Kumar Sinha, Adv.
For the Respondent nos.1to4 : Mr.Ajay Kumar Sharma, AC to PAAG-I
For the Respondent nos.6, 8&9: Mr. Rajesh Kumar Singh, Adv.
Mr.Pradeep Chandra, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 01-08-2016 Heard the parties.

The matters at issue are the orders passed by the revenue authorities for mutation of the lands in question in favour of the private respondents.

The petitioners are aggrieved by the order dated 24.08.2005 passed in Mutation Revision Case No.70 of 2001-02 by the respondent District Collector, Darbhanga, whereby the

aforesaid mutation revision case filed on behalf of the petitioners was dismissed and the orders passed by the appellate authority as also the original authority have been affirmed with an observation that there is a dispute of title between the parties, which cannot be appropriately gone into by the revenue authorities.

Apparently, by recording concurrent findings of facts, the original authority i.e. the Circle Officer, Biraul, the appellate authority i.e. the S.D.O., Biraul as also the revisional authority i.e. the District Collector, Darbhanga have allowed the claim of mutation raised on behalf of the private respondents with respect to the lands in question and have rejected that of the petitioners.

In view of the aforesaid concurrent findings of facts recorded by all the 3 statutory authorities, this Court does not feel persuaded to interfere with the orders impugned passed by the revenue authorities regarding mutation of the lands in question in favour of the private respondents. Accordingly, the writ petition is dismissed. However, the petitioners, if so advised, shall be at liberty to approach the Civil Court of competent jurisdiction for getting their right, title and possession declared over the lands in question and for grant of any other appropriate relief, after impleading all the necessary parties including the private respondent nos.5 to 9.

(Birendra Prasad Verma, J)

Arvind/-

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