

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.614 of 2016

In
Civil Writ Jurisdiction Case No. 14192 of 2007

- =====
1. Janardan Ram, son of late Sudarshan Ram
 2. Shiv Chandra Ram
 3. Shyam Bihari Ram
 - Both sons of late Nawrang Mochi
 4. Abhaijit Ram
 5. Amarjit Ram
 - Both sons of late Gauchandra Ram
 6. Anil Ram son of late Ramdeo Mochi, resident of village Lie Kajalamani (Milanpatti), P.S. – Station and District – Kishanganj.
- Petitioners

Versus

1. The State of Bihar
 2. Sudhir Kumar, Commissioner, Purnea
 3. Pankaj Kumar, Collector, Kishanganj.
 4. Ramji Sah, Additional Collector, Kishanganj.
 5. Md. Shafique, Sub-Divisional Officer, Kishanganj.
 6. Niraj Kumar Das, Deputy Collector, Land Reforms, Kishanganj.
 7. Raman Kumar Singh, Circle Officer, Kishanganj.
- Respondents
- =====

Appearance :

For the Petitioners : Mr. Najmul Hoda, Advocate
For the Respondents : Mr. Ashok Kumar Keshri, A.A.G.-XI

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH
ORAL ORDER

2. 22-06-2016

It appears that the petitioners were in possession of certain piece of land. They alleged that the Jamabandi was in their favour. That was wrongly cancelled by the District Authorities. They challenged it in this Court, but they were relegated to appeal before the Commissioner. The Commissioner remanded the matter to the Collector where the appeal is pending. In the meantime, State filed a Title Suit which was dismissed for non-prosecution. It has not been

restored. There was yet another suit filed by plaintiff namely, Tassadaque Hussain, which was dismissed, against which, the said plaintiff has filed an appeal.

Sri Ashok Kumar Keshari, A.A.G.-XI, submits that as the Title Appeal would have material effect on the order that is to be passed by the Collector in Appeal. The Collector is awaiting the result of the Title Appeal.

Sri Najmul Hoda, learned counsel for the petitioners, submits that at the one hand the Collector is pleading that, because of pendency of Title Appeal, he is not taking up the Appeal. On the other hand, frequently the District Authorities keep coming and threatening the petitioners with eviction and other harassing methods.

Having considered the matter, in my view, ends of justice would be met if, under the facts and circumstances noted above, the petitioners' possession would not be disturbed so long as the appeal before the Collector is pending.

With this observation, this application stands disposed of.

(Navaniti Prasad Singh, J.)

Rajeev/-

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