

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18979 of 2008

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Dr.Vijay Kumar son of Late Ramchandra Prasad, resident of Mohalla
Station Road Gali, P.S.Khusrupur, District Patna

.... Petitioner/s

Versus

1. The State of Bihar
 2. The Collector, Patna
 3. The Deputy Collector Land Reforms, Patna
 4. The Circle Officer, Fatuha, District Patna
 5. Sant Prasad S/o Late Mahendra Prasad, resident of Village Khusrupur,
P.O. & P.S. Khusrupur, District Patna
 6. Devendra Prasad Swarnkar S/o Late Laxmi Sao Swarnkar, resident of
Village Saffipur at present residing at Arya Samaj Road, Khusrupur
(Jewellery shop), P.O. & P.S. Khusrupur, District Patna
 7. Surendra Choudhary S/o Late Dwarka Choudhary
 8. Ramdeo Choudhary S/o Late Soukhilal Choudhary
 9. Mosmat Jhujhan Devi W/o Late Shital Choudhary
- Respondent nos. 7 to 9 are resident of Village
Rukunpura, P.S.Bakhtiyarpur, District Patna at present residing at
Mohalla Ratu Road, Ranchi, P.S.Sukhdeo Nagar,
District Ranchi (Jharkhand)
10. Ramnandan Prasad
 11. Naresh Prasad
 12. Ashok Kumar
 13. Arvind Kumar & Munna Kumar
 14. Dilip Kumar
- Respondent nos. 10 to 14 are sons of Late Debrat Prasad
15. Smt. Mina Devi W/o Sri Kamleshwar Prasad
 16. Smt. Tunni Devi W/o Sri Ramanand Prasad
 17. Smt. Nilam Devi W/o Ajay Prasad
 18. Smt. Munni Devi W/o Mahendra Prasad
 19. Smt. Geeta Devi W/o Mritunjay Prasad
 20. Smt. Sangeeta Devi W/o Sunil Kumar
- Respondent nos. 15 to 20 are married daughters of Late Debrat Prasad
All are residents of Village Khusrupur, P.O. & P.S.Khusrupur, District
Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Suraj Narayan Yadav, Advocate
For the Respondent Nos. 1 to 4 : Mr. Shankar Kumar, AC to AAG 7
For the Respondent No. 6 : Mr. Manoj Kumar Sinha, Advocate
For the Respondent No. 10 : Mr. Dilip Kumar Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

7 22-08-2016

Heard the parties.

2. The matter at issue is the claim of the parties for mutation of their names with respect of the lands in question, fully detailed in paragraph 4 of the writ petition.

3. The claim of mutation raised on behalf of the petitioner with respect to the lands in question was rejected by the respondent Anchal Adhikari, Fatuha by order dated 31.07.1993 passed in Case No. 263 of 1992-93/29 of 1993-94, as contained in Annexure-14 to the writ petition. However, one Deobrat Prasad and the present petitioner were granted liberty to approach the civil court of competent jurisdiction for getting their right and title declared over the lands in question claimed by them.

4. However, deceased Deobrat Prasad, father of the respondent nos. 10 to 14 and the present petitioner filed mutation appeal No. 4 of 1993-94 before the respondent DCLR, Patna City, but that was dismissed by a reasoned and speaking order dated 30.12.1993 (Annexure-15).

5. It is not in dispute that against the aforesaid final appellate order dated 30.12.1993 (Annexure-15) the petitioner did not file any revision case before the prescribed revisional authority. Therefore, so far the petitioner is concerned, aforesaid order dated 31.07.1993 (Annexure-14) and appellate order dated 30.12.1993 (Annexure-15) have attained their finality. Thereafter, private respondent nos. 10 to 14, being aggrieved by the aforesaid original and appellate orders vide Annexures-14 and 15, preferred Mutation Revision No. 46 of 1993-94, but that has been dismissed by the impugned revisional order dated 13.12.2007 (Annexure-17).

6. From the facts noticed above, it is apparent that the claims raised either on behalf of the petitioner or on behalf of the

aforesaid Deobrat Prasad or his heirs and legal representatives with respect to the lands in question have been rejected by all the statutory authorities by recording concurrent findings of facts.

7. In above view of the matter, this Court does not feel persuaded to interfere with the impugned orders passed by the aforesaid three statutory authorities. The writ petition is devoid of merit, and is, accordingly, dismissed, but without costs.

(Birendra Prasad Verma, J)

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