

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20393 of 2014

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1. Ram Babu Rai
2. Satish Kumar Sinha
3. Basant Kumar All sons of Late Ram Chandra Rai @ Ganga Rai, resident of Village- Sultanpur, P.S. Danapur, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land Reforms, Govt. of Bihar, Patna
2. The Collector, Patna
3. The Additional Collector, Patna
4. The Land Reforms Deputy Collector, Danapur, Patna
5. The Circle Officer, Danapur, Patna
6. Shanti Devi wife of Late Shorajj Sinha, resident of Mohallah Janakdhari Lal Road, P.S. Danapur, District- Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Aditya Narayan Singh-1, Adv.
For the Respondent Nos. 1 to 5 : Mr. Krishna Kant Tiwari, AC to SC-27

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 22-10-2016 Heard the learned counsel appearing on behalf of the petitioners and the learned AC to SC-27 appearing on behalf of the respondent nos.1 to 5.

The petitioners are aggrieved by the order dated 9.7.2014 passed in B.L.T. Case No. 22 of 2012 by the learned Bihar Land Tribunal, Patna, as contained in Annexure-8 to the writ petition, whereby aforesaid B.L.T. case filed on behalf of the petitioners has been dismissed and the order passed by the learned revisional authority has been affirmed.

Though, the learned counsel appearing on behalf of the petitioners has argued the matter at some length, but during the course of argument, he fairly conceded that for grant of appropriate reliefs with respect to the lands in question, the

petitioners have also approached the civil court of competent jurisdiction by filing an appropriate civil suit, which is still pending.

The learned A.C. to SC 27 appearing on behalf of the respondent nos. 1 to 5 submits that in view of the findings recorded by the learned Tribunal and the revisional authority, the title of the petitioners over the lands in question is under serious dispute, which can be appropriately gone into by the civil court of competent jurisdiction and not in the present proceeding filed under Article 226 of the Constitution of India.

In view of the aforesaid submissions made by the parties, the present writ petition is disposed of with a liberty to the petitioners, as also the respondent no. 6 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 civil suit, and the judgment and decree of the civil court shall bind the parties.

(Birendra Prasad Verma, J)

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