

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15043 of 2014

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Ashok Tiwari son of Late Ramanand Tiwari, resident of village-
Chaklevaini, P.O.- Vaini, P.S.- Tajpur (Vaini O.P.), District- Samastipur

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Samastipur, Resident of Mohalla- Kashipur, At
AND P.O. + P.S.- Samastipur, District- Samastipur
3. The D.C.L.R., Samastipur, Resident of Mohalla- Kashipur, At and P.O.
+ P.S.- Samastipur, District- Samastipur
4. The Anchal Adhikari, Pusa, Pusa Agriculture College Campus, Pusa,
Samastipur
5. The Survey Settlement Officer, Darbhanga
6. Chakbandi Officer, Samastipur
7. Nand Lal Pandey @ Harun Pandey S/o Late Ram Narain Pandey resident
of village- Chaklevaini, P.O.- Vaini, P.S.- Pusa, District- Samastipur
8. Shiv Shankar Pandey @ Tiyaan Pandey S/o Late Ram Narain Pandey
resident of village- Chaklevaini, P.O.- Vaini, P.S.- Pusa, District-
Samastipur
9. Bhola Tiwari S/o Late Gopi Tiwari resident of village- Jitwarpur Chauth,
P.S.- Muffasil Samastipur, District- Samastipur
10. Smt. Pashupati Devi W/o Late Gopi Tiwari resident of village-
Jitwarpur Chauth, P.S.- Muffasil Samastipur, District- Samastipur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Labh, Adv.
Mr. Gopesh Kumar, Adv.

For the Respondent No.1 to 6 : Mr. Subodh Kumar, AC to SC-26

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 16-08-2016

Heard the parties.

With respect to the lands claimed by the petitioner, fully
detailed in paragraph-4 of the writ petition, admittedly, the
petitioner has filed Title Suit No. 16 of 2010, which is still
pending in the Court of the learned Munsif 1st, Samastipur.

The learned counsel appearing on behalf of the
petitioner submits that in the aforesaid title suit the private
respondent no. 7 to 10 have also been impleaded as party-

defendants.

In the aforesaid admitted factual matrices, the present writ petition is disposed of with a liberty to the petitioner to raise all the issues of facts and law, which may be available to him, with respect to the lands claimed by him in the aforesaid pending title suit.

It is clarified that this Court has not gone into the merits of the claims raised on behalf of the petitioner with respect to the lands in question and it is left to be decided by the civil court of competent jurisdiction strictly in accordance with law on the basis of evidence/ materials produced by the parties including the petitioner and the private respondent no. 7 to 10, besides others, if any.

(Birendra Prasad Verma, J)

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