

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17419 of 2014

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1. Vidyanand Yadav S/o Panchu Yadav, Resident of Village Gudiya Tole Khanghar Pattee, P.S. Jadiya, District Supaul.
 2. Nageshwar Yadav S/o panchu Yadav, Resident of Village Gudiya Tola Khanghar Pattee, P.S. Jadiya, District Supaul.
 3. Rukmini Devi D/o Late Panehu Yadav, Resident of Village Gudiya Tole Khanghar Pattee, P.S. Jadiya, District Supaul.
 4. Bimla Devi W/o Late Upendra Yadav, Resident of Village Gudiya, P.S. Jadiya, District Supaul.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Old Secretariat, Harding Road, Patna.
2. Director, Department of Land Revenue, New Secretariat, Harding Road, Patna.
3. Commissioner, Koshi Comissionary, Saharsa.
4. District Magistrate-cum-Collector, District Supaul.
5. Additional Collector, Supaul.
6. Deputy Collector, Land Revenue, Birpur, District Supaul.
7. Deputy Collector, Land Revenue, Tribeniganj, District Supaul.
8. Sub Divisional Officer, Birpur, District Supaul.
9. Sub Divisional Officer, Tribeniganj, District Supaul.
10. Circle Officer, Block Chhatapur, District Supaul.
11. Circle Inspector, Circle Chhatapur, Block Chhatapur, District Supaul.
12. Halka Karmchari, Halka No. 10, Ratansar, Block Chhatapur, District Supaul.
13. Om Prakash Jaiswal S/o Shree Krishna Bihari Jaiswal, Resident of Forbisganj, Ward No. 5, P.S. Forbisganj, District Araria.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar Singh, Adv.

For the Respondent Nos. 1 to 12: Mr. Sanjay Kumar Ojha, AC to G.P. 7

For the Respondent No. 13 : Mr. J.P. Shaha, Adv.

Mr. Sanjeev Nikesh, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 03-10-2016

Heard.

The petitioners are aggrieved by the order dated 10.7.2012/ 26.7.2012 passed in Mutation Revision Case No. 13 of 2012-13 by the respondent Additional Collector, Supaul, as contained in Annexure-1 to the writ petition, whereby aforesaid

mutation revision case filed on behalf of the respondent no.13 has been admitted for hearing and notices have been issued to the opposite parties therein including the petitioners herein.

Admittedly, the aforesaid mutation revision case filed on behalf of the respondent No.13 is still pending and no final order has been passed. Therefore, in the considered opinion of this Court, the issues of facts and law, which are sought to be raised in the present writ petition on behalf of the petitioners, can very well be raised before the Additional Collector, Supaul and only after passing final order by the respondent Additional Collector or rejection of the claim raised on behalf of the petitioners, the matter can be agitated before the higher authority/ forum/ court.

In above view of the matter, the present writ petition is disposed of with a liberty to the petitioners to raise all the issues of facts and law, which may be available to them with respect to the lands in question before the respondent Additional Collector, Supaul.

It goes without saying that the issues of facts and law raised on behalf of the petitioners with respect to the lands in question shall be appropriately considered and decided by the respondent Additional Collector, Supaul, by a reasoned and speaking order, after giving an opportunity of hearing to the petitioners as also to the private respondent herein, besides others, if any.

The writ petition stands finally disposed of with the observations and directions made above.

(Birendra Prasad Verma, J)

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