

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 15098 of 2011

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Suraj Prakash @ Suraj Prasad S/o Awadh Bihari Prasad R/o Moh. - Mill
Road, P.S. Nawada Ara, Distt.-Bhojpur.

.... Petitioner

Versus

1. The State of Bihar through Divisional Commissioner, Patna.
2. The Collector, Ara, Bhojpur.
3. Sub Divisional Officer, Ara Sadar, Distt.-Bhojpur.
4. The Circle Officer, Ara, Bhojpur.
5. Sri Gopal Prasad S/o Late Kanhaiya Sah R/o Moh.-Mill Road, P.S.
Nawada Ara, Distt.-Bhojpur.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Maya Nand Jha
Mr. Uday Kumar
For the Respondent/s : AC to PAAG
Mr. Sunil Kumar

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 18-04-2016 Heard Sri Maya Nand Jha, learned counsel who was assisted by Sri Uday Kumar, learned counsel for the petitioner, learned A.C. to Principal Addl. Advocate General as well as Sri Sunil Kumar, learned counsel, who has appeared on behalf of respondent no. 5/landlord.

The petitioner, who is tenant, has approached this Court invoking its writ jurisdiction under Article 226 of the Constitution of India, with a prayer to quash order of the revisional court, which affirmed the order of the appellate court confirming the order of the S.D.M.-cum-House Controller, Ara, Bhojpur.

Learned counsel for the petitioner tried to persuade the Court that there is title dispute and as such, this Court may examine the fact of the case.

The Court is of the opinion that while exercising power of judicial review, it would be difficult to examine the fact of the present case in a situation where order of the House Controller was affirmed by the appellate court and the appellate court order has also been confirmed by the revisional court.

I do not find any ground to interfere with the matter.

The writ petition stands dismissed.

(Rakesh Kumar, J.)

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