

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Letters Patent Appeal No.110 of 2014**

**Arising out of**

**Civil Writ Jurisdiction Case No. 1590 of 2007**

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1. Anami Prasad Son of Late Shyam Narayan Prasad Resident Of Mohalla Shivganj, Ward No.2, Sikarpur, P.S. Sikarpur, P.O. Narkatiaganj, District- West Champaran, Presently Residing At Pokhnaia, P.S. Palanwa, P.O. Ramgarhwa, District- East Champaran
  2. Krishna Mohan Tiwary Son Of Late Ram Chandra Tiwary Resident Of Narkatiaganj, Mohalla- Shivganj, Ward No. 5, P.O. Narkatiaganj, P.S. Sikarpur, District- West Champaran
  3. Kamla Devi Wife of Dinesh Kumar Mishra Resident of Village Kehunia, P.S. Sikarpur, District West Champaran
  4. Pankaj Kumar Mishra Son of Dinesh Kumar Mishra Resident of Village Kehunia, P.S. Sikarpur, District West Champaran
  5. Pravesh Kumar Mishra Son of Dinesh Kumar Mishra Resident of Village Kehunia, P.S. Sikarpur, District West Champaran
  6. Smt. Mithilesh Devi Wife Of Krishna Mohan Tiwary Resident Of Narkatiaganj, Mohalla- Shivganj, Ward No. 5, P.O. Narkatiaganj, P.S. Sikarpur, District- West Champaran
  7. Adesh Nand Tiwary @ Prabhakar Nath Tiwary Son Of Krishna Mohan Tiwary Resident Of Narkatiaganj, Mohalla- Shivganj, Ward No. 5, P.O. Narkatiaganj, P.S. Sikarpur, District- West Champaran
  8. Ratnakar Tiwary Son Of Krishna Mohan Tiwary Resident Of Narkatiaganj, Mohalla- Shivganj, Ward No. 5, P.O. Narkatiaganj, P.S. Sikarpur, District- West Champaran
  9. Dharmesh Kumar Mishra Son Of Late Krishna Kumar Mishra Resident Of Village- Kehunia, P.S. Shikarpur, District- West Champaran
  10. Anil Kumar Mishra @ Anil Kumar Pandey Son Of Gauri Shankar Mishra Resident Of Village- Mathia Brit Baithania, P.S. Majaulia, District- West Champaran

.... .... Petitioners / Appellants

Versus

1. The State Of Bihar
2. Collector, West Champaran, Bettiah
3. D.C.L.R., Narkatiaganj, District West Champaran
4. Circle Officer, Narkatiaganj, District West Champaran
5. S.D.O., Narkatiaganj, District West Champaran
6. Chairman, Nagar Panchayat, Narkatiaganj
7. Executive Officer, Nagar Panchayat, Narkatiaganj

.... .... Respondents / Respondents

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**Appearance:**

For the Appellant/s : Mr. S.S. Dwivedi, Sr. Advocate.  
For the Respondent – State : Mr. Md. Anis Akhtar.  
For the Respondents 5 & 6 : Mr. Himanshu Kumar Akela, Advocate.

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**CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA**

**and**

**HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**

**ORAL JUDGMENT**

**(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)**

**Date: 08-04-2016**

The Letters Patent Appeal is directed against an order of the learned Single Bench dated 18.11.2013 declining to interfere with the order in respect of correction of the revenue records.

Learned counsel for the appellants seeks liberty to withdraw the present appeal with liberty to approach the Civil Court. However, it is sought to be clarified that the observation made by the learned Single Bench will not affect the rights of the parties before the Civil Court.

The present appeal is thus dismissed as withdrawn with a clarification that the observations in the order passed by the learned Single Bench is only for the purpose of deciding the Writ Application and will not be taken into consideration by the Civil Court while deciding the *lis* between the parties.

The Letters Patent Appeal stands disposed off accordingly.

**(Hemant Gupta, J)**

**(Ahsanuddin Amanullah, J)**

Dilip/-

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