

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.21230 of 2014**

- =====
1. Urmila Devi, wife of late Ram Briksha Singh
  2. Arbind Kumar Singh
  3. Ajay Kumar Singh
  4. Rajesh Kumar Singh

All nos. 2, 3, 4 are sons of late Ram Briksha Singh, resident of village-Sardarnagar Chikni, P.S.-Barari, District-Katihar.

.... .... Petitioner/s

Versus

1. The State of Bihar through District Magistrate, Katihar.
2. The Additional Collector, District-Katihar.
3. The D.C.L.R. Sadar, Katihar.
4. The C.O., Barari, District-Katihar.

5. Ritesh Kumar Singh, son of late Madan Singh

6. Most. Shanti Devi, wife of late Madan Singh

Both resident of village Dhahora, P.S.-Abtarnagar, District-Chhapra (Saran)- at present resident of village-Chikni, P.S.-Barari, District-Katihar.

7. Wakil Prasad Yadav, son of late Bhanghi Das, resident of village Chandan Nagar, P.S.-Barari, District-Katihar.

.... .... Respondent/s

=====

**Appearance :**

For the Petitioner/s : Mr. Jagdish Prasad Bhagat

For the Respondent/s : None

=====

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA**  
**ORAL ORDER**

2      17-09-2016

Heard the learned counsel appearing on behalf of the petitioners. However, none appears on behalf of the respondents, though the name of the learned State counsel appearing on behalf of the official respondents is printed in the daily cause list.

The petitioners are aggrieved by the order dated 18.07.2014 passed in Mutation Revision Case No.448 of 2013 by the respondent Additional Collector, Katihar, as contained in Annexure-3 to the writ petition, whereby the aforesaid revision application filed on behalf of the respondent no.5 and others has been allowed and the orders passed by the original authority as also the appellate authority have been set aside.

The learned counsel appearing on behalf of the

petitioners has fairly submitted that with respect to the same plots of lands Title Suit No.50 of 2010 is pending in the court of learned Sub-Judge-I, Katihar. In above view of the matter, he seeks leave of this Court to withdraw the present writ petition with a liberty to raise all the issues of facts and law with respect to the lands in question in the aforesaid pending title suit, but the orders passed by the revenue authorities may be directed to be subject to final outcome of the aforesaid pending title suit.

Permission is accorded.

The writ petition stands dismissed as withdrawn with the liberty aforesaid.

It goes without saying that, the orders passed by the revenue authorities with respect to the lands in question regarding mutation of the names of the parties will be subject to final decision by the Civil Court of competent jurisdiction in the aforesaid pending title suit, in which both sides are said to be the parties.

**(Birendra Prasad Verma, J)**

Arvind/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|