

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.2238 of 2016
IN
Civil Writ Jurisdiction Case No. 11492 of 2010**

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1. Manju Devi Verma, wife of late Ramautar Mandal, Resident of Mohalla-Sanhauli, P.O., P.S. and District- Khagaria.

.... Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Commissioner, Munger Division, Munger.
3. The Collector, Khagaria.
4. The Sub Divisional Officer, Khagaria.
5. The Anchal Adhikari, Khagaria.

..... Respondents 1st Set.

6. Chandeshwari Mallik, son of Late Ram Swarup Mallik
7. Pappu Mallik, son of Chandeshwari Mallik
8. Pradeep Mallik, son of Chandeshwari Mallik
9. Babloo Mallik, son of Srilal Mallik
10. Kailash Mallik, son of Balchand Mallik
11. Madan Mallik, son of Balchand Mallik
12. Yogendra Mallik, son of Balchand Mallik
13. Bhool Mallik, son of Surena Mallik
14. Karelal Mallik, son of Anup Mallik
15. Lakshmi Mallik, son of Bahor Mallik
16. Pankaj Mallik, son of Laxmi Mallik
17. Chetan Mallik, son of Karim Mallik,

All residents of village- Mathurapur, P.S. and district- Khagaria

.... Respondents 2nd Set

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Appearance :

For the Appellant/s : Mr. Dronacharya, Advocate

For the Respondent/s : Mrs. Nutan Sahay, AC to AAG-12

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 15-05-2017

Seeking exception to an order dated 19.10.2016 passed by
the learned Writ Court in C.W.J.C. No.11492 of 2010, this appeal



has been filed under Clause 10 of the Letters Patent.

Challenge in the appeal and the writ petition was made to orders passed by the District Collector, Khagaria in a land settlement case pertaining to certain land detailed in the petition.

The learned Writ Court, after examining various aspects of the matter, found that serious disputed questions of facts are involved in settlement of the land; the District Collector has not committed any error and in case the petitioner wants to stake his right to title and possession over the land in question, the petitioner should take recourse to the remedy available under the civil law by filing a civil suit and, accordingly, the petition has been dismissed.

In doing so, we are of the considered view, the learned Writ Court has not committed any error warranting re-consideration.

The appeal is, therefore, dismissed.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

K.C.jha/-

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