

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.719 of 2016

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Prithvinath Singh, S/o Late Ram Briksha Singh, R/o village - Narsinghbigha, P.O. Pahleja, P.S. Dihri, District – Rohtas.

.... Petitioner-Appellant/s

Versus

1. The State of Bihar through the District Land Acquisition officer Cum Competent Authority, Rohtas.
2. District Magistrate, Rohtas
3. Narendra Dev Prasad, Son of Keshwar Singh, R/o village - West Mohan Bigha Ward No. 6, P.S. Dehri, District - Rohtas

.... Respondents-Respondent/s

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Appearance :

For the Appellant/s : Mr. Diwakar Prasad Singh, Advocate

For the Respondent/s : Mr. Sudama Singh, Advocate

Mr. Rajni Kant Singh, Advocate

Mr. Surendra Kumar Mishra, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 27-03-2017

Having heard learned counsel for the parties and perusal of the original records of the writ petition, we find that in dismissing the writ petition by holding that no substantive ground has been pleaded, an error apparent on the face of record has been committed by the learned Writ Court, inasmuch as various reasons and grounds are detailed in the writ petition running into more than 19 pages, but as these have not been adverted to in right perspective, we, with respect to the learned Writ Court, hold that the learned Writ Court has not considered various questions involved in the



matter and, therefore, it is a fit case where the order passed by the learned writ Court on 14.03.2016 in Civil Writ Jurisdiction Case No.8677 of 2013 has to be set aside and matter remanded to the Writ Court to consider and decide the petition afresh in accordance with law.

Accordingly, this Appeal is allowed and the order passed on 14.03.2016 in Civil Writ Jurisdiction Case No.8677 of 2013 is set aside. The writ petition is restored to its original file. It be placed for consideration and orders before the appropriate Bench as per the roster.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

Sunil/-

AFR/NAFR	N. A. F. R.
CAV DATE	N. A.
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