

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3084 of 2016
IN
Civil Writ Jurisdiction Case No. 135 of 1991

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1. Farooque Azam
2. Imteyaz Ahmad
3. Aftab Ahmad
4. Neyaz ahmad
5. Shadab Ahmad
6. Nuzhat Parween
7. Nikhat Parween, Heirs and legal representatives of Iftekhar Ahmad
8. Wasi Ahmad
9. Khursheed Ahmad
10. Talat Parween wife of late Mobin Ahmad sons and daughters of Late Ali Ahmad & mother of Late Nesar Fatma All resident of village- Moulana Chak, P.O. Fatehpur Bella, Via Tajpur , P.S. Musri Gharari, District- Samastipur
11. Sohail Ahmad
12. Tufail Ahmad
13. Irshad Ahmad
14. Naushad Ahmad
15. Rehana Khatoon, Sons and Daughter of late Anwar Ahmad & mother of Late Kaniz Fatma, All resident of village- Moulana Chak, P.O. Fatehpur Bella, Via Tajpur , P.S. Musri Gharari, District- Samastipur

.... Petitioners

Versus

1. The State of Bihar
2. The Circle Officer, Sarairanjan, P.S. Sarairanjan, District- Samastipur
3. Circle Officer, Tajpur, District- Samastipur

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Raghieb Ahsan, Sr. Advocate
Mr. Saba Ashfaq, Advocate

For Opposite Parties : None

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 11-08-2017

The present petition has been filed for modification of the order dated 26.07.2013 passed in CWJC No. 135 of 1991.

2. Learned senior counsel for the petitioners submits that pursuant to the aforesaid order of the Court, the petitioners as also the private respondents were directed to appear before the Circle Officer, Sarairanjan but it was orally informed by the C.O. that the land in dispute was situated within Tajpur Anchal even prior to passing of the order of this Court, but owing to lack of information about the above



situation, learned counsel appearing for the parties could not bring this fact to the notice of this Court.

3. Learned counsel for the petitioners also submits that as regards claim for mutation as occurring in paragraph 6 of the order, the words “correction of Jamabandi” be substituted in place of “claim for mutation” as the impugned orders were passed on the application of Aisha Khatoon for correction of Jamabandi.

4. None appears on behalf of the State when the matter is called out.

5. This Court is satisfied that the modification sought by the petitioners is fit to be allowed, and accordingly, paragraph 6 of the order dated 26.07.2013 passed in CWJC No. 135 of 1991 stands modified as follows ---

(a) Reference to the “Circle Officer, Sarairanjan District Samastipur” shall be read as “Circle Officer, Tajpur, District Samastipur.”

(b) The words “who shall decide the claim of mutation of the parties” shall be read as “who shall decide the claim of correction of Jamabandi.”

(6) The present petition stands allowed as above.

(Vikash Jain, J)

B.T/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	19.08.2017
Transmission Date	N.A.

