

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.916 of 2016
Arising out of
Civil Writ Jurisdiction Case No. 18049 of 2014**

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Suresh Prasad Son of Late Ramsharan Lal Verma @ Late Ramsharan Prasad
Resident of village - Silao, P.O. + P.S. Silao, District - Nalanda Presently R/o
Mohalla - Chowkpar Bazar, Ward 35, Bihar Sharif, P.S. Bihar Sharif, District -
Nalanda

.... Appellant/s

Versus

1. The Municipal Commissioner, Bihar Sharif Municipal Corporation Nalanda
2. Kapildeo Ravidas, Area TEHSILDAR, Bihar Sharif Municipal Corporation Nalanda
3. Baijnath Prasad Late Sadhu Lal R/o Mohalla - Gorhatta, P.O. + P.S. Patna City, District - Patna

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Mahendra Prasad Verma, Advocate

For the Respondent/s : Mr. Gyan Prakash Ojha, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 03-07-2017

Delay of 3 days in filing of the appeal is condoned. I.A.

No. 3472 of 2016 stands allowed and disposed of.

The learned Writ Court has only relegated the appellant to take recourse to the remedy available of approaching the Court of competent civil jurisdiction in view of the fact that with regard to mutation and ownership of the area in question, it is a civil dispute and the Writ Court has thought it appropriate to relegate the appellant to take recourse to the remedy available under the common law.



In doing so, no error has been committed by the learned
Writ Court. The Letters Patent Appeal is dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

P.K.P.

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