

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1167 of 2016

=====

1. Sri Kailash Kumar Das, age about 50 Years Son of late Ananni Harizan resident of Village-Nagrah, P.S. Naugachiya, District Bhagalpur Pin Code 853204
2. Sri Akhilesh Harizan aged about 45 years Son of late Anan Harizan resident of Village-Nagrah, P.S. Naugachiya, District Bhagalpur Pin Code 853204
3. Aghauri Harizan, son of Late Moti Das, resident of Village- Nagrah, P.S- Naugachiya, District-Bhagalpur.

.... Appellant/s

Versus

1. The State of Bihar.
2. The Collector, Bhagalpur.
3. The Additional collector, Bhagalpur.
4. The Deputy Collector, Land Reforms Naugachiya, Bhagalpur.
5. The Circle Officer, Naugachiya, District Bhagalpur.
6. Upendra Mandal Son of Sita Ram Mandal.
7. Chhatu Mandal son of Upendra Mandal.
Both resident of Village- Nargarh (Tula Jonia), P.S. Naugachiya, District- Bhagalpur.
8. Ramu Sahu
9. Dhaneshwar Pd. Sahu
10. Satyan Narayan Sahu
all sons of Late Ram Chandra Sah, residents of Village- Basantpur Khara, Sahu Parwatta, P.S. Sahu Parwatta, District- Bhagalpur.
11. Hakim Yadav son of Late Sitabi Yadav, resident of Village- Jahagirpur Basi Chui, P.S.- Gopalpur, District- Bhagalpur.
12. Jodi Yadav son of Bhumi Yadav, resident of Village- Jahagirpur, Baisi Chu, P.S.- Gopalpur, District- Bhagalpur.

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Satish Kumar Agrawal, Adv.
For the Respondent nos.6&7 : Mr. Jitendra Kumar Giri, Adv.
For the Respondent nos.11&12 : Mr.Amrendra Kumar Pathak, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 06-11-2017

Heard counsel for the parties.

Perused the order dated 18.04.2016. Since the Bataidari is
not inheritable right, the claim of these petitioners that they are



Bataidars and the order of the D.C.L.R., declaring the private respondent nos.6 and 7 to be Bataidar, is erroneous, is misplaced.

Appeal has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

Arvind/-

(Rajeev Ranjan Prasad, J)

AFR/NAFR	
CAV DATE	
Uploading Date	07.11.2017
Transmission Date	

