

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1522 of 2014
IN
Civil Writ Jurisdiction Case No. 3901 of 2014**

=====

1. Pramila Singh W/o Shri Anil Singh Resident of Mohalla Shivpuri, Road No. 1,
Adjacent to Nala, P.S. Shashtrinagar, Patna-800024

.... Appellant/s

Versus

1. The State of Bihar.
2. The District Magistrate, Patna.
3. The Commissioner, Patna Municipal Corporation, Maurya Lok, C-Block, Second Floor, Patna-800001.
4. The Executive Officer, New Capital Circle, Patna Municipal Corporation, Kranti Marg, Patna-800015.
5. Sri Udai Shankar paswan, Sanitary Inspector, Ward No. 9, New Capital Circle, Municipal Corporation, Kranti Marg, Patna-800015.
6. The Circle Officer, Sadar, Patna.
7. Shri Mithila Sharan Verma, Anchal Amin, Sadar Anchal, Patna.
8. Rajesh Kumar S/o Sri Tarakant Ojha 444, East Mahesh Nagar, Opp. Shivpuri Railway Halt, P.S. Patliputra, Patna-800024

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Arun Kumar
For the Respondent/s : Mr. AC to GP 25
Mr Rajesh Kumar

=====

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 04-05-2017

Heard counsel for the appellant and counsel for the respondents as well as respondent no.8, who appears in person.

This is a frivolous kind of appeal, which has been preferred against the order dated 19.9.2014 by the appellant, who seems to have bought a bag full of air and nothing more. The Court has specifically used the expression 'bag full of air' because no person



can acquire a title better than the vendor. If the vendor does not have title, the title cannot pass on to the present appellant even though the sale may have been effected between the parties.

This is the finding, which has been given by the learned Single Judge based on evidence and materials that the plot bearing No.1459 of Khata No.326 to the extent of 4.5 decimal and other contiguous plots were acquired under a land acquisition proceeding, which was numbered as L.A. 50 of 1975-76. If the appellant was befooled in buying that property from one Narmada Devi then the peril is of the appellant and not of the other contesting parties.

There does not seem to be any error in the order of the learned Single Judge. The appeal, therefore, is required to be dismissed and is dismissed being devoid of merit.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

sk

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04.5.2017
Transmission Date	NA

