

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1462 of 2013

In

Civil Writ Jurisdiction Case No. 12081 of 2007

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Danger Sahani Son Of Late Haruni Sahni Resident Of Village And P.O.
Jamalu Mathiya, P.S. Ninapur, District - Muzaffarpur

.... Appellant/s

Versus

1. The State Of Bihar
2. The Joint Director Of Consolidation, Muzaffarpur
3. The Deputy Director Of Consolidation , Muzaffarpur
4. The Consolidation Officer, Muzaffarpur
5. The Additional Collector, Revenue Muzaffarpur
6. The Land Reforms Deputy Collector, Muzaffarpur
7. The Circle Officer, Minapur, Muzaffarpur
8. Mahesh Sahani Son Of Late Musafir Sahani Resident Of Village -
Dumariya, P.O. Jaminmadhiya P.S. Minapur, District - Muzaffarpur
9. Dend Buni Lal Rai Son Of Late Manipat Rai Resident Of Village
Dumariya P.O. Jamin Mathiya P.S. Minapur District - Muzaffarpur
10. Dead Janak Rai Son Of Late Manipat Rai Resident Of Village
Dumariya P.O. Jamin Mathiya P.S. Minapur District - Muzaffarpur
11. Satya Narayan Rai Son Of Jamun Rai Village Kalyanpur, P.O. Jamun
Mathiya P.S. Minapur, District - Muzaffarpur
12. Indradeo Rai Son Of Jamuna Rai Village Kalyanpur, P.O. Jamun
Mathiya P.S. Minapur, District - Muzaffarpur
13. Lead Sukeswar Rai Son Of Rajdeo Rai Village Kalyanpur, P.O. Jamun
Mathiya P.S. Minapur, District - Muzaffarpur
14. Mahadeo Rai Son Of Late Rajdeo Rai Village Kalyanpur, P.O. Jamun
Mathiya P.S. Minapur, District - Muzaffarpur
15. Rajanath Rai Son Of Late Sheonandan Rai Village Kalyanpur, P.O.
Jamun Mathiya P.S. Minapur, District - Muzaffarpur
16. Sachid Rai Son Of Late Sheonandan Rai Village Kalyanpur, P.O. Jamun
Mathiya P.S. Minapur, District - Muzaffarpur
17. Ram Babu Rai Son Of Late Sheonandan Rai Village Kalyanpur, P.O.
Jamun Mathiya P.S. Minapur, District - Muzaffarpur
18. Harischandra Rai Son Of Late Hari Rai Village Dumariya P.O. Jamin
Mathiya P.S. Minapur District - Muzaffarpur
19. Digvijay Rai Son Of Late Hari Rai Village Dumariya P.O. Jamin
Mathiya P.S. Minapur District - Muzaffarpur
20. Chandeshwar Rai Son Of Late Hari Rai Village Dumariya P.O. Jamin
Mathiya P.S. Minapur District - Muzaffarpur
21. Ram Babu Rai Son Of Late Hari Rai Village Dumariya P.O. Jamin
Mathiya P.S. Minapur District - Muzaffarpur
22. Lal Babu Rai Son Of Late Hari Rai Village Dumariya P.O. Jamin
Mathiya P.S. Minapur District - Muzaffarpur
23. Bajjul Lal Rai Son Of Bishuni Rai Village Dumariya P.O. Jamin
Mathiya P.S. Minapur District - Muzaffarpur
24. Surendra Rai Son Of Bishuni Rai Village Dumariya P.O. Jamin Mathiya
P.S. Minapur District - Muzaffarpur
25. Dead Kishuni Rai Son Of Ram Chandra Rai Village Dumariya P.O.



Jamin Mathiya P.S. Minapur District - Muzaffarpur

.... Respondent/s

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Appearance :

For the Appellant/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

2 23-02-2017 Heard the counsel for the appellant and the counsel for the State.

The learned Single Judge has committed no wrong in observing that the writ petition had abated against the respondent nos. 9,10, 13 and 25. Therefore, the Writ could not proceed. He has also observed that in one common lis there cannot be two contradictory orders, one against dead person and other against surviving person. It was in this background that the writ petition was dismissed vide order dated 3.9.2013.

In the given facts, the learned Single Judge has committed no error in fact and law which could be rectified in appeal. The appeal is dismissed being devoid of merit.

(Ajay Kumar Tripathi, J)

BTiwary/-

(Nilu Agrawal, J)

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