

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1330 of 2016
IN
Civil Writ Jurisdiction Case No. 15935 of 2005**

=====

Kanu Kumari, Wife of Sri Yogendra Prasad Rai, resident of village - Narkatiya,
P.S. Lattipur, District - Bhagalpur

.... Appellant/s

Versus

1. The State of Bihar
2. Lalan Prasad Thakur, Son of Late Jagarnath Prasad Thakur @ Shivji Thakur
3. Neeraj Kumar Thakur, Son of Lalan Prasad Thakur
4. Dhiraj Kumar Thakur, Son of Lalan Prasad Thakur, All resident of village -
Patahi Jagarnath, P.S. Sadar, P.O. Patahi Muffasil, Muzaffarpur East, District -
Muzaffarpur
5. Smt. Sandhya Thakur, Wife of Sri Mohan Prasad Thakur
6. Smt. Asha Devi, Wife Sri Sohan Prasad Thakur
7. Sri Arun Kumar Thakur, Son of Rudradeo Prasad Thakur @ Rudal Prasad
Thakur
8. Smt. Lalita Devi, Wife Sri Arun Kumar Thakur
9. Anil Kumar Thakur, Son of Sri Arun Kumar Thakur, father and natural
guardian of his son Anil Kumar Thakur
10. Smt. Durga Devi, Wife of Sri Rudradeo Prasad Thakur @ Rudal Prasad
Thakur, All resident of village - Pathi Jagarnath, P.O. Patahi Mufaril Sadar,
District - Muzaffarpur
11. Most. Sita Kuar, Widow of Late Bijay Prasad Thakur
12. Pramod Prasad Thakur, Son of Late Bijay Prasad Thakur
13. Awadhesh Prasad Thakur, Son of Late Bijay Prasad Thakur
14. Nawesh Prasad Thakur, Son of Late Bijay Prasad Thakur
15. Kanhai Prasad Thakur, Son of Awadhesh Prasad Thakur
16. Murari Prasad Thakur, Son of Awadhesh Prasad Thakur All resident of village
- Pathi Jagarnath, P.O. Patahi Mufaril Sadar, District - Muzaffarpur
17. Asho Kumar, Son of Krishna Nandan Prasad Singh
18. Sanjay Kumar, Son of Krishna Nandan Prasad Singh
19. Ajai Kumar, Son of Krishna Nandan Prasad Singh All resident of village -
Charouh, P.S. Nauagarhi, District - Munger
20. Sarita Devi, Wife of Binod Tiwary All resident of village & P.O. Bakarpur,
P.S. Hazipur, District - Vaishali
21. Binod Prasad, Thakur @ Ganesh Prasad Thakur
22. Mohan Prasad Thakur
23. Sohan Prasad Thakur, All sons of Mahadeo Prasad Thakur
24. Amit Kumar Thakur, Son of Mohan Prasad Thakur
25. Sumit Kumar Thakur, Son of Mohan Prasad Thakur
26. Priya Ranjan Kumar Thakur
27. Ravi Ranjan Kumar Thakur, both minor sons of Sohan Prasad Thakur under
guardianship of their father and natural guardian
28. Rudradeo Prasad Thakur @ Rudal Prasad Thakur
29. Arun Kumar Thakur, Son of Rudradeo Prasad Thakur
30. Anil Kumar Thakur, minor son of Arun Kumar Thakur Under the guardianship
of his father and natural guardian



31. Smt. Malti Sinha, Wife of Kameshwar Prasad Singh All resident of village - Gokhula, P.O. Golchula Rupauli, P.S. Paroo, District - Muzaffarpur
32. Smt. Kanti Devi, Wife of Sri Keshav Kishore Sharma resident of village - Chaturi Punas, P.O. Chandwara, P.S. Ahiyapur, District - Muzaffarpur
33. Ramchandra Prasad Thakur, Son of Late Harideo Narayan Thakur
34. Sadan Kumar Thakur, Son of Ram Chandra Prasad Thakur
35. Chandan Kumar Thakur, Son of Sadan Kumar Thakur
36. Most. Draupadi Kuar, Widow of Late Kameshwar Prasad Thakur @ Nathuni Prasad Thakur
37. Madan Kumar Thakur, Son of Late Kameshwar Prasad Thakur @ Nathuni Prasad Thakur
38. Mukesh Kumar Thakur, Son of Late Kameshwar Prasad Thakur @ Nathuni Prasad Thakur
39. Indu Devi, Wife of Sri Ramakant Prasad Singh All resident of village & P.O. Mahisaur, P.S. Jandaha, District - Vaishali
40. Bhupendra Prasad Singh, Son of not known
41. Chunchun, Son of Bhupendra Prasad Singh Both resident of village - Bihta, P.S. Bihta, District Patna
42. Foolkumari Devi, Wife of Baidhyanath Prasad Sharma resident of Mohalla - Juran Chapra, Road No. 3, P.S. Muzaffarpur
43. Smt. Geeta Devi, Wife of Nand Kishore Rajak resident of village - Patahi Mohammadpur, P.O. Patahi, P.S. Sadar, District - Muzaffarpur
44. Smt. Urmila Devi, Wife of Sri Nand Lal Mahto resident of village - Balichandrapur, P.S. Sahpur Patori, District - Samastipur
45. Bisundeo Kumar, Son of Nathuni Mahto resident of village - Hardi, P.S. Kathaiya, District - Muzaffarpur

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Rajesh Prasad Choudhary, Advocate
For the Respondent/s : Mr.

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 27-03-2017

This appeal has been filed under Clause 10 of the Letters Patent to challenge the order dated 9.4.2014 passed by the learned Writ Court in C.W.J.C. No.15935 of 2005.

The petitioner filed the above writ petition under Article 227 of the Constitution of India in the matter of an award



passed by the Permanent Lok Adalat at Muzaffarpur with regard to a title suit. Once the jurisdiction and the power exercised by the learned Writ Court was under Article 227 of the Constitution, a Letters Patent Appeal under Clause 10 being not maintainable against the same, no case is made out for interference.

The appeal is dismissed as not maintainable.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

K.C.jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	1.4.2017
Transmission Date	N/A

