

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.696 of 2015
IN
Civil Writ Jurisdiction Case No. 1830 of 2014**

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1. Ram Lal Tuddu @ Bamlal Tuddu son of late Lakhi Ram Tuddu
2. Most Meera @ Badki Hemram wife of late Lakhi Ram Tuddu All are resident of
Kajra Tola Dohita Bari , P.S. Mirganj, Distt. Purnea.

.... Appellants

Versus

1. The State of Bihar through the Collector Purnea.
2. The Deputy Collector, Land Reforms, Dhamdaha, Distt. Purnea .
3. Fekan Mandal
4. Suresh Mandal Both Son o f Hari Mandal , Resident o f Village Bhangaha, P.S.
Falka, Distt. Katihar .
5. Chinti Devi , Wife o f Late Satya N o rayan Mandal , Resident o f Village
Kajara, P.S. Mirganj, Distt. Purnea
6. Subhash Prasad Mandal , Son o f Late Satya Narayan Mandal , null
7. Anil Kumar Mandal , Son o f Late Satya Narayan Mandal ,
8. Manoj Kumar Mandal , Son o f Late Satya Narayan Mandal
9. Pappu Kumar Mandal , Minor Son o f Late Satya Narayan Mandal
10. Sabita Devi , Daughter o f Late Satya Narayan Mandal
11. Anita Devi Daughter o f Late Satya Narayan Mandal All Resident of Village
Kajara, P.S. Mirganj, Distt. Purnea

.... Respondents

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Appearance :

For the Appellant/s : Mr. Ajit Kumar Singh, Advocate

For the Respondent/s : Mr.

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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

By a common order dated 13.05.2014 six writ applications were clubbed together because they arose out of same identical question of fact and kind of common order emanating from the level of the D.C.L.R. as well as the Collector, Purnea. Since the appeal of the present appellants was also dismissed by the Collector, who refused to hold them *under raiyats (Bataidaar)*, the writ



application came to be preferred. The learned single Judge went through the order of the D.C.L.R. as well as the Collector and agreed with the concurrent finding that there was no adequate materials and evidence to hold and declare that the appellants were *Bataidaar*.

When concurrent findings being what they are and nothing new emerging even in the memo of appeal, which can knock out those findings, the affirmance of the orders of the D.C.L.R. and the Collector and refusal to interfere with the same by the learned single Judge cannot be said to be bad law.

Appeal has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Pawan/-

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