

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17503 of 2010

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Radhey Shyam Singh S/O Late Mahendra Singh Vill.- Sarasti Dera, P.S.- Itarhi,
Distt.- Buxar

.... Petitioner/s

Versus

1. The State Of Bihar
2. District Magistrate Cum Collector, Distt.- Buxar
3. Deputy Collector, Land Reforms, Buxar
4. Anchal Adhikari, Itahari P.S. Anchal Itarhi, Distt.- Buxar
5. Parmeshwar Ram S/O Ghurhu Singh Vill.- Sarasti Dera, P.S.- Itarhi, Distt.- Buxar
6. Mohan Singh S/O Kailash Singh Died Vill.- Sarasti Dera, P.S.- Itarhi, Distt.- Buxar
7. Hari Ram Singh S/O Kailash Singh Died Vill.- Sarasti Dera, P.S.- Itarhi, Distt.- Buxar
8. Muni Ram Singh S/O Kailash Singh Died Vill.- Sarasti Dera, P.S.- Itarhi, Distt.- Buxar
9. Paras Nath Singh S/O Khiraram Singh Died Vill.- Sarasti Dera, P.S.- Itarhi, Distt.- Buxar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. NIRMAL KUMAR SINHA 3

For the Respondent/s : Mr. (GP8)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL JUDGMENT

Date: 09-02-2017

Heard.

2. It has specifically been pleaded at Para-6 of the counter affidavit filed on behalf of the State- respondents that respondent nos.5 to 9 had filed CWJC NO. 16922 of 2010 for quashing the impugned order of the present case and a co-ordinate Bench of this Court, vide order dated 25.01.2016, disposed of the aforesaid writ petition, giving direction to civil court to dispose of Title suit no. 15 of 2007 on priority basis without being influenced by any finding recorded by the revenue authorities in the impugned mutation



proceeding and, furthermore, the said Bench of this Court also gave liberty to the parties to raise their grievances before the civil court in Title suit no. 15 of 2007.

3. Learned counsel appearing for the respondent nos.5 to 9 submits that the present writ petition has been filed for quashing the order dated 28.07.2010 passed by the Collector, Buxar, in Mutation Revision case no. 88 of 2009 it is admitted position that the Title suit no. 15 of 2007 is pending before the civil court, Buxar between the parties of mutation case and a co-ordinate Bench of this Court had already directed to the concerned civil court to proceed with the Title suit no. 15 of 2007 and dispose of the same as early as possible. Therefore, this writ petition should also be disposed of in the aforesaid manner.

4. In view of the submission of the parties, this writ petition stands disposed of, giving liberty to the petitioner to raise his grievances/points, as raised in this writ petition, before the civil court in Title suit no. 15 of 2007.

(Hemant Kumar Srivastava, J)

N.K/-

AFR/NAFR	NAFR
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