

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1016 of 2015
IN
Civil Writ Jurisdiction Case No. 16905 of 2008**

=====

1. Surendra Kumar Singh @ Surendra Prasad Singh .
2. Mahendra Prasad Singh. Both sons of Ranjit Kumar Singh, Residents of village-
Pipraura, P.S. Madanpur, District- Aurangabad.

.... Appellants

Versus

1. The State of Bihar .
2. The Commissioner, Magadh Division, Gaya.
3. The Collector, Aurangabad.
4. The Land Reforms Deputy Collector, Aurangabad.
5. Sidhesh Prasad Singh, Son of Deobansh Narayan Singh, resident of village-
Pipraura, P.S. Madanpur, District- Aurangabad.
6. Kapildeo Singh, Son of resident of village- Pipraura, P.S. Madanpur,
District- Aurangabad.

.... Respondents

=====

Appearance :

For the Appellants : Mr. Aditya Narayan Singh, Advocate
Mr. Amarendra Kumar Singh, Advocate
Mr. Ran Vijay Narayan Singh, Advocate
For the Respondent State: Mr. Prabhakar Jha, G.P.-27

=====

**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 02-08-2017

The appellants have lost before four forums and the concurrent findings of all the authorities in the case of preemption have been recorded against him. Their plea before this Bench that the land in question is a *Bhith* land and this fact has not been appreciated by any of the authorities which has caused serious prejudice to the appellants. Despite the findings at four tier of adjudication, they make a prayer that even now an inspection can be made whether it is



actually a *Bhith* land or an agricultural land.

The Court is not tempted by such attractive argument for the reason that this aspect of the matter has been taken note of by the Divisional Commissioner, Magadh Division, Gaya, in the Revision Case No. 51 of 2007 decided as far back as 05.03.2008.

The submission of the appellants, therefore, was a desperate and last ditch effort to redeem the situation, which they have failed at all the four forums below.

Appeal has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

Pawan/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	02.08.2017
Transmission Date	N/A

