

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1272 of 2014
IN
Civil Writ Jurisdiction Case No. 7570 of 1992**

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Ram Nath Sah @ Ram Nath Prasad S/o Late Vishun Devo Sah R/o Vill.-
Ramnagara, Post- Siruali, P.S.- Riga, Dist.- Sitamarhi

.... Appellant

Versus

1. The State of Bihar
2. Additional Member, Board of Revenue, Bihar, Patna
3. The Additional Collector, Sitamarhi
4. The Land Reform Deputy Collector, Sitamarhi
5. Alim Ansari
6. Gonaur Ansari
7. Thaga Ansari All sons of Islam Ansari
8. Ram Janam Prasad S/o Sri Durga Prasad All R/o Village- Sirauli, P.S.- Riga,
Dist.- Sitamarhi

.... Respondents

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Appearance :

For the Appellant : Mr. Alok Kumar Jha, Advocate

For the Respondent State: Mr. Chitranjan Sinha, PAAG-2

Mr. Niraj Kumar Sinha, AC to PAAG-2

For the Respondent Nos.5&6:Mr. Ran Narayan Mishra, Advocate

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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: 23-01-2017

Delay of one day is condoned for the reasons indicated

in I.A. No.6933 of 2014. I. A. is allowed.

Heard counsel for the appellant, counsel for the private
respondents No. 5 and 6 as well as counsel for the State.

Even before this Court there is no unambiguous
evidence to establish that the appellant is an adjoining raiyat of the
plot with regard to the sale deed dated 01.06.1988/03.11.1988



executed by the private respondent No.8 in favour of respondents No. 5 and 6.

The learned single Judge has also held that the fact of the appellant being adjoining raiyat could not be established even before the appellate authority or revisional authority. These are concurrent findings of fact and the appellant has lost at every stage of his litigation which was initiated in the year 1988. The time has come when such frivolous litigation should be put to rest. There is no infirmity with the order of learned single Judge, which is impugned in the appeal.

Appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Pawan/-

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