

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.653 of 2016

Arising out of

M. J. C. No. 299 of 2010

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Deepak Kumar Nat @ Tuntun Nat, son of Shanti Devi, Resident of Village-
Dhangain, P.S.- Bikramganj, District- Rohtas.

.... Appellant/s

Versus

1. The State of Bihar.
2. The District Magistrate, Rohtas at Sasaram.
3. The Additional Collector, Rohtas at Sasaram.
4. The Deputy Collector, Land Reforms, Bikramganj, District- Rohtas.
5. The Anchal Adhikari, Bikramganj, District- Rohtas.
6. Saroj Kumari daughter of Chandtara Devi, Resident of Village- Dhangain, P.S.-
Bikramganj, District- Rohtas.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Surendra Kumar Mishra, Advocate

For the State : Mrs. Archana Meenakchee, GP-6

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date: 28-02-2017

The challenge in the present Letters Patent Appeal is to an order passed by a learned Single Bench of this Court on 09.03.2016 whereby the application for restoration of the writ application was dismissed. It was found that earlier also the writ application was dismissed for non-prosecution as the appellant abstained in the writ proceedings and consequently, the restoration petition was dismissed.

A perusal of the writ application shows that the orders



under challenge in the writ application are passed in mutation proceedings sought by the appellant on the basis of purchase of land in question by the sale deeds.

The orders of mutation are summary in nature. Even if, mutation proceedings have been decided against the appellant, still, the appellant has right to establish his right, title and interest before the Civil Court.

Consequently, we do not find any reason to interfere in the orders passed leaving it open to the appellant to avail his alternative remedy in accordance with law.

The Letters Patent Appeal is, thus, dismissed with liberty aforesaid.

(Hemant Gupta, ACJ)

S.Pandey/-

(Sudhir Singh, J)

AFR/NAFR	NAFR
CAV DATE	NA
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