

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.362 of 2016

In

Civil Writ Jurisdiction Case No.18675 of 2011

1. Pratibha Kumari, D/o Late Ramanand Pandey, Resident of Village- Mahuari P.S. Ramgarh, District- Kaimur at Bhabhua.

... .. Appellant

Versus

1. Shail Kumari Devi, W/o Late Ramanand Pandey, D/O Jagdish Dubey, Resident of Village- Mahuari, P.O Upari, P.S. Ramgarh, District- Kaimur (Bhabhua).

2. The State of Bihar

3. The Secretary, Primary Education, Government of Bihar, Patna.

4. The District Superintendent of Education, Bhabhua, District- Kaimur.

5. The Accountant General, State of Bihar, Patna.

6. The Collector, Kaimur, Bhabhua.

7. The Commissioner, Patna Division, Patna.

... .. Respondents

Appearance :

For the Appellant : Mr. Rajendra Prasad Singh, Senior Advocate

Mr. Mukesh Kumar Singh, Advocate

For the Respondent State: Mr. Sanjay Kumar, AC to GP-7

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

7 20-11-2017 There is nothing to interfere in the order of the learned single Judge dated 07.12.2015. The Court has already observed that the order, which will be passed in the title suit filed by the present appellant, will decide the rights of the parties.

The Court has further recorded that an undertaking would be required to be given by Shail Kumari, the wife, that whatever settlement will be made in her favour will be based on the outcome of the title suit.

In view of the same, there is adequate protection given to



the present appellant and whatever settlement has been ordered to be made in favour of Shail Kumari is not absolute, but is subject to the declaration made by the civil court of competent jurisdiction.

Appeal has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

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