

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1493 of 2015

In

Civil Writ Jurisdiction Case No.4366 of 2011

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1. Neelam Devi Wife of Late Raj Kishore Choudhary,
 2. Rajiv Kumar, Son of Late Raj Kishore Choudhary,
 3. Shailendra Kumar Choudhary, Son of Late Raj Kishore Choudhary,
 4. Sudha Kumari Daughter of Late Raj Kishore Choudhary, Wife of Nilendu Kumar Singh, At Present Resident of Village - Maheshpur, P.S. & District - Munger.
 5. Munni Kumari Daughter of Late Raj Kishore Choudhary, 1 to 3 and 5 are resident of villaeg - Rahimpur Naya Tola, P.s. - Muffasil Khagaria, District - Khagaria, at present resident of Jai Prakash Nagar Ward No. 22 P.S. & District - Khagaria.

... .. Appellant/s

Versus

1. The State of Bihar
2. The District Magistrate Khagaria.
3. The Additional Collector Khagaria.
4. Anchal Adhikari Khagaria District - Khagaria.
5. Vidhya Nand Choudhary, Son of Late Mentri Choudhary, Resident of Village - Gahimpur Naya Tola, P.S. - Muffasil Khagaria, District - Khagaria.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr Vivekanand Pd. Singh
		Mr. Anil Kumar Choudhary
For the Respondent/s	:	Mr. Nikhil K. Agrawal

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

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date : 31-08-2017

After having heard counsel for the appellants as well as counsel for the State, the Court is not inclined to interfere with the impugned order dated 07.05.2015. However, it would like to direct the District Magistrate, Khagaria that in terms of his order dated



18.12.2010 in relation to Balabani Case No.01/08-09, it is his duty to ensure that measurement of the land in question is done in presence of all the parties as well as the Anchal Amin of Khagaria as well as Alauli. This is any way was the essence of the order which became a subject matter of challenge before the writ court.

The Court expects that such an exercise must be carried out in an honest and objective manner, preferably within a period of two months from the date of production of a copy of this order by the appellants.

The appeal stands disposed of.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

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AFR/NAFR	NAFR
CAV DATE	NA
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