

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.2199 of 2016

In
Civil Writ Jurisdiction Case No.3199 of 2015

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1. Smt. Shanti Singh Wife of late Sunil Kumar Singh
 2. Rohit Kumar Singh S/o late Sunil Kumar Singh
 3. Rohan Kumar S/o late Sunil Kumar Singh
 4. Anil Kumar Singh S/o late Anand Pati Singh All resident of Mohalla - Kurji Bridge, P.O. Sadakat Ashram, P.S. Digha, District - Patna

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna
2. The Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna
3. The Secretary, Road Construction Department, Government of Bihar, Patna
4. The District Magistrate, Patna
5. The Land Reforms Deputy Collector, Patna
6. The Anchal Adhikari, Sadar Anchal
7. The Halka Karamchari, Patna Sadar Anchal, Patna

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr R.K.P.Singh
		Mr. Bal Bhushan Choudhary
For the Respondent/s	:	Mr. Rakesh Ranjan, AC to AAG 12

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

5 17-01-2018 Heard counsel for the appellants and counsel for the State.

A summary proceeding under Article 226 of the Constitution of India cannot be an answer to the problem being faced by the appellants. The writ application has been rightly dismissed by the learned Single Judge giving leeway to the party to approach a civil court of competent jurisdiction for



appropriate relief.

Even otherwise, we are of the opinion that a via media is being worked out for declaration and recognition of title under Article 226 of the Constitution of India, which cannot be done.

Appeal is dismissed with liberty to the appellants to approach a civil court of competent jurisdiction.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

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