

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1990 of 2016

IN

Civil Writ Jurisdiction Case No. 14447 of 2014

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1. Nasimuddin Khan S/o of late Akil khan R/o of vill.- Makhadumpur
,p.s.Barachatti,Distt.-Gaya

.... Appellant/s

Versus

1. The State of Bihar
2. The principal secretary, Revenue and land reforms Department, Govt, of Bihar, Patna
3. The commissioner, Magadh division, Gaya
4. The collector Gaya
5. The Addl. collector, Gaya
6. The sub-divisional officer, Sherghati, Gaya
7. The Anchal Adhikari, Barachatti, Gaya

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Prahalad Kumar Bhagat

For the Respondent/s : Mr.

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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: 03-01-2018

Heard learned counsel for the appellant and the respondents.

The finding of fact given by the District Magistrate at the instance of the High Court to verify whether the appellant was a landless person or not was duly verified after giving opportunity of hearing both to the appellant as well the intervener and it has emerged in the order of the District Magistrate, which has not been belied before the learned Single Judge, that the appellant is not a landless



person. If that be so, the dismissal of the writ application cannot be said to be erroneous.

Even at the appellate stage, there is no cogent material, which has been brought before this Court, to disprove the finding given by the District Magistrate. Mere statement showing that he does not possess land, which is not supported by any independent evidence, cannot be accepted on the face value.

The appeal has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Rajesh/Devendra

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04.01.2018
Transmission Date	NA

