

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1465 of 2019

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Sushil Kumar Singh, son of Maheshwar Singh, Resident of Village-
Sheikhpura, P.S. Mahnar, District- Vaishali.

... .. Petitioner/s

Versus

1. The State Of Bihar
 2. The Collector, Vaishali at Hajipur.
 3. The Deputy Collector, Land Reform, Mahnar, District Vaishali.
 4. The Circle Officer, Mahnar, District- Vaishali.
 5. Shashi Bhushan Prasad Singh, son of Late Lagan Prasad Singh
 6. Subodh Prasad Singh, son of Late Lagan Prasad Singh
- 5-6 are resident of Village- Sheikhpura, P.S. Mahnar, District Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur
For the Respondent/s : Mr. Raj Kishore Roy, GP-18

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 24-01-2019 This application has been filed seeking quashing of the order, dated 13.09.2018, passed by the Member Administrative, Bihar Land Tribunal, Patna, in B.L.T. Case No. 372 of 2017, whereby and whereunder an application filed by the petitioner has been rejected. The petitioner is also seeking quashing of the order dated 30.11.2016, passed by the Additional Collector, Vaishali at Hajipur, in Mutation Revision Case No. 131/2011-12/161/2013/2013-14, whereby mutation revision application filed by the private respondents has been allowed and the order, dated 29.12.2011, passed in Mutation Appeal No. 18/2010-11 has been set aside.



On perusal of the impugned orders on record, it is evident that the dispute is only in respect of the fact as to whether the petitioner is the adopted son of Bindeshwari Singh or not.

The Additional Collector, Vaishali at Hajipur, while setting aside the order dated 29.12.2011, passed in Mutation Appeal No. 18/2010-11, in his order, dated 30.11.2016, has held that the petitioner could not produce any document to substantiate his claim that he was adopted son of Bindeshwari Singh. This finding recorded by the Additional Collector, Vaishali at Hajipur, has been endorsed by the Member Administrative, Bihar Land Tribunal, Patna, in the impugned order.

It is easily noticeable from the impugned order that the Member Administrative, Bihar Land Tribunal, Patna, has gone into all materials on record and has taken note of the fact that the petitioner described himself, even in his application before the Tribunal, as son of Maheshwar Singh, his natural father and not as son of Bindeshwari Singh, who he claimed to be his adoptive father.

In such circumstance, the impugned order does not require any interference by this Court since I do not notice any



apparent illegality in the impugned order.

Learned Counsel appearing on behalf of the petitioner has submitted that he may have liberty to seek declaration from the Court of competent jurisdiction in respect of his status as adopted son of Bindeshwar Singh.

There is no bar for the petitioner to seek such declaration before the competent Court of civil jurisdiction.

This application is dismissed, but with the above observation.

(Chakradhari Sharan Singh, J.)

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