

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13232 of 2019

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Raj Nandan Prasad Son of Late Doman Singh Yadav R/o Rampur, Bara, P.S.-
Pali, District-Jehanabad

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna
2. The Additional Collector Jehanabad
3. The Deputy Collector Land Reform, Jehanabad
4. The Circle Officer Kako (Jehanabad)
5. The Circle Inspector Circle Kako, Dist-Jehanabad
6. The Revenue Karmchari Block Kako, Dist-Jehanabad
7. Mr. Ravindra Sharma S/o Dudheshwari Singh R/o Amarpura, P.S.-Pali, Dist-Jehanabad

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar

For the Respondent/s : Mr. Majid Mahboob Khan, AC to AAG-12

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 03-07-2019 Though this matter has been listed under the heading, 'For Orders (On Office Notes)', with certain defects pointed out by the stamp reporter, considering the nature of controversy, this writ application has been heard on merits and is being disposed of by the present order.

An order, dated 06.03.2019, passed by the learned Chairman, Bihar Land Tribunal, Patna, in B.L.T. Case No. 576 of 2014, is under challenge in the present writ application.

It is apparent that the petitioner has applied for mutation of his name over the land in question, which came to be turned down by the three authorities concurrently, as has



been noticed in the order under challenge. This aspect is not in dispute. The claim of the petitioner for mutation has been rejected on the ground that he is not in possession over the land, which he claims to have purchased from the cousin of respondent No. 7. Respondent No. 7 has been found to be in possession over the land in question.

It is also evident from the impugned order that respondent No. 7 is claiming his title over the land in question, whereas the petitioner's claim of title is based on the purchase of the land from the cousin of respondent No. 7.

I do not find any legal infirmity in the impugned order passed by the learned Chairman of the Tribunal, which is apparently in the background of concurrent findings recorded by the revenue Courts. It is evident that whereas the petitioner is claiming his title over the land in question, respondent No. 7 has claimed his, disputing the petitioner's title on the basis of the purchase made by him from the cousin of respondent No. 7.

Question of title can be adjudicated upon only in a civil court of competent jurisdiction. Thus, while not interfering with the impugned order, it is observed that the petitioner shall be at liberty to file a suit before civil court of competent jurisdiction.



This writ application stands disposed of.

(Chakradhari Sharan Singh, J)

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