

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.196 of 2018

In
Civil Writ Jurisdiction Case No.3097 of 2011

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1. The State of Bihar
 2. The Collector, Khagaria, District Khagaria.
 3. The Sub-Divisional Officer, Khagaria, District Khagaria.
 4. The Deputy Collector, Land Reforms, Khagaria.
 5. The Anchal Adhikari, Khagaria, District Khagaria.

... .. Appellant/s

Versus

1. Tarun Kumar Singh,
2. Ranjeet Kumar Singh, both sons of Late Mahendra Narain Singh,
3. Indrajeet Kumar Singh,
4. Chandrajeet Kumar Singh,
5. Devjit Kumar Singh,
6. Charanjeet Kumar Singh,
7. Ramanjeet Kumar Singh,
8. Amarjeet Kumar Singh, All sons of Late Arun Kumar Singh, R/o- Village-
Olapur, Gangaur, P.S. Khagaria, District- Khagaria.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Asif Kalim, AC to AAG- 12
For the Respondent/s :

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 09-01-2019

The defect pointed out by the Stamp Reporter is
ignored.

2. Heard Shri Asif Kalim, learned counsel for the
appellant-State of Bihar.

3. There is an inordinate delay of almost 4 years in
the filing of this appeal. Apart from this, the State of Bihar has



filed this appeal and from a perusal of the impugned judgment dated 13th February, 2014 passed in C.W.J.C. No. 3097 of 2011 that has given rise to this appeal, we find that there is a clear recital at internal page 6 of the impugned judgment that the State did not dispute the Jamindari returns as well as the Register-II which indicated the name of the predecessor-in-interest of the writ-petitioners.

4. The fact having not been disputed, whether the said entry was manipulated or fraudulent could not in such a summary jurisdiction be upturned by the Collector after almost 60 years. The learned Single Judge was, therefore, justified in observing that this could be done only by recourse to a civil suit.

5. We, therefore, do not find any reason to either condone the delay or even entertain the appeal, which is, hereby dismissed.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

P.K.P./-Jagdish

AFR/NAFR	
CAV DATE	
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