

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Letters Patent Appeal No.1187 of 2016**

**In**  
**Civil Writ Jurisdiction Case No.4133 of 2006**

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Md. Kamruddin Son of Late Suleman Mian, resident of village- Apahar, P.S.-  
Amnor, P.O.- Apahar, District- Saran Chapra.

... .. Appellant/s

Versus

1. The State of Bihar
2. The Additional Member, Board of Revenue Bihar, Patna
3. The Additional Collector, Saran (Chapra).
4. The Deputy Collector, Land Reforms, Marhowrah, Saran
- 5 (i) Hasim Ansari son of Amantu Alah Ansari, Resident of village Apahar, P.O-  
Apahar, P.S.- Amnour, District- Saran.
- (ii) Anwar Ali son of Amantu Alah Ansari, Resident of village Apahar, P.O-  
Apahar, P.S.- Amnour, District- Saran.
- (iii) Akranul Ansari son of Amantu Alah Ansari, Resident of village Apahar,  
P.O- Apahar, P.S.- Amnour, District- Saran.
- (iv) Ajbun Nisha wife of Aamantullah Ansari, Resident of village Apahar, P.O-  
Apahar, P.S.- Amnour, District- Saran.
- (v) Malarika Khatoon wife of Md. Mufiz Ansari, resident of Gram Tara,  
Amnour, PO-Kaituka, Nandan, District-Saran.
- (vi) Zarina Khatoon wife of Md. Hanif Ansari, resident of Gram Harpur,  
Wasatpur, PS-Katsa, District-Saran
- (vii) Shahida Khatoon, wife of Sadre Alam, resident of Gram and PO-Bahrauli,  
District-Saran.
6. Ganesh Saran, Son of Late Gopalji Prasad, resident of village- Apahar, P.O-  
Apahar, P.S.- Amnour, District- Saran, correct and present address-Sri  
Rampur, Prakhand Maker, PS-Parsa, District-Saran.

... .. Respondent/s

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**Appearance :**

|                     |   |                                                                                                                                                         |
|---------------------|---|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| For the Appellant/s | : | Mr.Fakhruddin Ali Ahmad, Advocate<br>Mr. Arshad Alam, Advocate                                                                                          |
| For the Respondent  | : | Mr.Rajiv Kumar Singh, GP-2<br>Mr. Rajendra Narayan, Sr. Adv.<br>Mr. Bishwajeet Singh, Adv.<br>Mr. Amit Kumar Singh, Adv.<br>Mr. Satish Kumar Giri, Adv. |

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**and**  
**HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

**(Per: HONOURABLE MR. JUSTICE SHIVAJI PANDEY)**



21 06-11-2019 Heard learned counsel for the appellant, learned counsel for the private respondents and learned counsel for the State.

In the present case, the issue relates to claim of preemption and the finding has been given by the three Courts that the land in question is a homestead land. The appellant could not succeed consecutively in three courts.

In such view of the matter, this Court does not find any merit in this appeal and the same is accordingly dismissed.

**(Shivaji Pandey, J)**

**(Partha Sarthy, J)**

Mahesh/-

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