

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4451 of 2015

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Sarswati Devi wife of Dhruv Kumar Bhagat, Resident of Village Sherpur
Jalal, P.O. Abakarpur, P.S. Goraul O.P. District- Vaishali

... .. Petitioner/s

Versus

1. The State Of Bihar through Collector, Vaishali
2. The Dy. Collector Land Reforms, Mahuwa, Vaishali
3. The Circle Officer Chehra Kala Block Goraul, Vaishali
4. Manju Devi, wife of Sagina Bhagat
- 5(a) Sangeeta
- 5(b) Sunil both are under the guardianship of her mother, are resident of
village Saresa P.O. Bishunpur, Arara, P.S. Goraul, District Vaishali
6. Ramdeo Bhagat son of Late Dukhit Bhagat, resident of village Sherpur
Jalal, P.S. Goraul O.P. Katahara, Anchal Cheharatala District Vaishali
7. Tribhuwan Bhagat son of late Dukhit Bhagat
8. Jaga Bhagat son of Both resident of village Sherpur Jalal, P.S.
Goraul O.P. Katahara Anchal Cheharatala District Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ratan Kumar Sinha
For the Respondent/s	:	Mr. Sc14- Dr. Anshuman

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

5 14-02-2019 Heard learned counsel for the petitioner, State of
Bihar and the private respondents.

2. Assailing the impugned order dated 24.02.2015
passed in Mutation Appeal No.76/2013-14, learned counsel
appearing on behalf of the petitioner has submitted that no
Letters Patent Appeal was ever preferred against the decision of
this Court rendered in CWJC No. 5151 of 2008. Evidently, the
appeal of the petitioner has been dismissed by the Deputy



Director Land Reforms on the ground that a Letters Patent Appeal is pending before this Court.

3. Learned counsel appearing on behalf of the respondents does not dispute that any Letters Patent Appeal is pending or was ever duly filed in this Court against the order dated 16.07.2013 passed in CWJC No. 5151 of 2008.

4. In such view of the matter, the challenge to the impugned order dated 24.02.2015 passed by the Deputy Collector Land Reforms, Mahua is sustained. The said order dated 24.02.2015 is, accordingly, set aside.

5. The matter is remanded back to the Deputy Collector Land Reforms, Mahua, Vaishali to pass an order afresh within four weeks from the date of receipt/production of a copy of this order.

6. This application is, thus, allowed.

(Chakradhari Sharan Singh, J)

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