

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.144 of 2018

In
Letters Patent Appeal No.1085 of 2017

Masjid And Madrasa Committee, Amri Through Its President Md. Shamshul Haque Ansari Son of Md. Muslim Ansari, Resident of Village- Amri, Police Station Sasaram, District Rohtas Sasaram.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Collector, Rohtas Sasaram.
3. The Additional Collector, Rohtas Sasaram.
4. The Deputy Collector Land Reforms, Sasaram.
5. The Anchaladhikari, Sasaram.
6. Ramayan Ram Son of Late Kailash Ram,
7. Ganga Ram, Son of Late Kailash Ram,
8. Nirala Ram, Son of Late Kailash Ram,
9. Nathuni Ram, Son of Late Jhapsi Ram,
10. Bigan Ram, Son of Late Jhapsi Ram,
11. Hari Kishun Ram, Son of Late Jhapsi Ram,
12. Chandrama Ram, Son of Late Bhagan Ram,
13. Banwari Ram, Son of Late Jagan Ram,
14. Mahendra Ram, Son of Late Jagan Ram, No. 6 to 14 all are Resident of Village- Amri, Police Station Sasaram, District Rohtas (Sasaram).
15. The Village Panchayat Amri through the Mukhiya, Anchal Sasaram, Police Station Sasaram, District Rohtas (Sasaram).

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Khatim Reza
For the Opposite Party/s : Mr.Md. Khurshid Alam Aag 12

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

9 19-06-2019 Heard learned counsel for the applicant.

We find that the writ petition was dismissed by the

learned Single Judge upholding the remand order whereby the



Additional Collector had remanded the mutation case to the Circle Officer. While dismissing the writ petition, the learned Single Judge observed that it is made clear that the findings and observations given in the order of the learned Single Judge shall not cause any prejudice in future litigation in respect of the disputed land.

The Division Bench which heard L.P.A. No.1085 of 2017 also did not interfere with the order of the learned Single Judge, but while recording facts an observation has been made as if the learned Single Judge had made some observation about 41 decimals of land being not Waqf property.

We find that this observation is irrelevant inasmuch as the entire matter has been remitted back to the Circle Officer and, therefore, any observation indicated in the order dated 13th April, 2018 shall not be read adversely against either of the parties.

The application stands disposed of accordingly.

(Amreshwar Pratap Sahi, CJ)

(Nilu Agrawal, J)

K.C.Jha/-

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