

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.218 of 2018

In
Civil Writ Jurisdiction Case No.5260 of 2017

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Baidyanath Sahni Son of Late Netlal Sahni, Resident of Village- Gunai Bashi,
P.S.- Tajpur, District- Samastipur.

... .. Appellant/s

Versus

1. The Union Of India through the Managing Director, Indian Oil Corporation (Retail), Lok Nayak Jai Prakash Bhawan, 5th Floor, Dak Bangalow Chowk, Patna.
2. The Senior Divisional Manager (Retail), Begusarai Divisional Office, District Barauni Oil Refinery, District- Begusarai.
3. The District Magistrate, Samastipur.
4. The Deputy Collector Land Reform, Samastipur.
5. The Circle Officer, Morwa, District- Samastipur.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Mahendra Thakur, Adv.
For the Respondent/s : Mr.Ranjan Kumar Jha, Adv.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

13 08-01-2020 Heard learned counsel for the appellant and learned
counsel for the respondents.

This memo of appeal is directed against the order dated
9.1.2018, passed by a learned Single Judge of this Court in
C.W.J.C. No. 5260 of 2017, filed by the petitioner/appellant,
whereby and whereunder the Hon'ble Single Judge has dismissed the
aforesaid writ petition.

Undisputedly, title suit inter se the parties is pending



before the Court having competent jurisdiction.

As such, in our considered view, the Writ Court rightly dismissed the writ petition leaving the issues open to be raised by the parties and to be adjudicated by the Civil Court.

As such, we see no reason to interfere with the impugned judgement dated 9.1.2018 passed by the learned Single Judge in C.W.J.C. No. 5260 of 2017.

The appeal is dismissed.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

K.C.Jha/-

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