

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.616 of 2017

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1. Ram Deni Prasad @ Ram Deni Prasad Sinha and Ors Son of Late Dudheshwar Prasad,
 2. Upendra Kumar Sinha,
 3. Birendra Kumar Sinha,
 4. Ravindra Kumar Sinha, (3 to 4) All sons of Late Tribeni Prasad, All Resident of village - Patharha, P.S. Kutumba, District - Aurangabad

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The Divisional Commissioner, Magadh Division, Gaya
3. The Bihar Land Tribunal, Patna through its Registrar
4. The Addl. Collector, Aurangabad
5. Deputy Collector, Land Reforms, Aurangabad
6. The Circle Officer, Kutumba, District Aurangabad
7. Shatrughan Prasad Sinha, Son of Late Vidya Prasad, Resident of village - Pathraha, P.S. Kutumba, District - Aurangabad

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Nagendra Rai, Advocate Mr. Dronacharya, Advocate
For the Respondent/s	:	Mr. Rishi Raj Sinha, S.C.-19 Mr. Saurabh Kumar, A.C. to S.C.-19

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

11 28-03-2024 Heard Mr. Nagendra Rai, learned Counsel for the
petitioners and the State.

2. The present petition has been preferred for:

*the issuance of an appropriate writ(s)/
Order(s) or direction(s) and thereby to issue a writ
in nature of 'certiorari' to quash the order dated
29th November, 2016 passed by Mr. K.P. Ramaiah,
learned Member(Administrative), Bihar Land*



Tribunal, Patna in B.L.T. Case No. 1495/2015 by which the Learned Member has been pleased to dismiss the application on the ground that in view of the pending title Suit, this matter can not be adjudicated in Tribunal and thereby he has affirmed the order dated 8.9.2012 passed by Addl. Collector, Aurangabd in Demand Cancellation Appeal Case No. 08/2012.

3. This Court has observed that the Bihar Land Tribunal, Patna has simply disposed of the matter taking into account that the Title Suit No. 427 of 2015 is pending before learned Subordinate Judge-I, Aurangabad, it would be appropriate that all the points that is available to the petitioner be raised before the said Court in Title Suit No. 427 of 2015.

4. The petitioner also has the liberty to raise the points relating to the facts which is otherwise not the subject matter of the said suit.

5. The writ petition stands disposed of with the aforesaid observations.

(Rajiv Roy, J)

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