

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7957 of 2016

1. Indra Mohan Mishra and Ors
2. Jagat Mohan Mishra
3. Vishwa Mohan Mishra
4. Subodh Mohan Mishra
5. Suresh Mohan Mishra
6. Sudhir Kumar Mishra All sons of late Deena Nath Mishra
7. Rishikesh Mishra, son of late Surya Nath Mishra, All resident of village- Karjain, Police Station- Karjain, District- Supaul.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Collector, Supaul.
3. The Dy. Collector, Land Reforms, Birpur District- Supaul.
4. The Anchal Adhikari, Raghapur Anchal, District- Supaul.
5. The Director of Consolidation, Bihar, Patna.
6. Smt. Asha Devi, wife of Amar Nath Mishra @ Pashupati Nath Mishra, resident of village- Karjain, Police Station- Karjain District- Supaul.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	None
For the Respondent/s	:	Mr. Raghwanand, GA-11
		Mr. Sanjay Kr. Tiwari, AC to GA-11

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 13-02-2024 No one appears on behalf of the petitioner though learned counsel for the State is present.

2. The present writ petition has been preferred for following relief:

“That the instant writ petition is for issuance of an appropriate writ/writs, direction/directions, order/orders for quashing the



order 23/03/15 passed in Mutation Revision Case No.174/2006 by the Collector-cum-District Magistrate, Supaul (Respondent No. 2) by which the Revision Petition filed by the Petitioner against the Order dated 24.11.2005 illegally dismissing Mutation Appeal No.09/04-05 by the Dy. Collector, Land Reforms, Birpur (Respondent No.3) and thereby the order of Mutation of the disputed land in favour of Respondent No.6 vide order dated 30/05/02 passed in the Mutation Case No.100/02-03 by the Anchal Adhikari, Raghapur Anchal Respondent No. 4 has been confirmed without considering the material documentary evidence available on record as well as without considering the orders of the Consolidation authorities, the Consolidation Officer, Raghapur, Dy. Director of Consolidation, Saharsa and Joint Director of Consolidation, Bihar, Patna by which the Deed of Gift executed without sanction in favour of Respondent No. 6 by late



Madhusudan Mishra has held to be void and invalid and the right, title and claim of the petitioners over the land in question has been affirmed and as such the impugned order is totally illegal, unjustified, inoperative and violate of Article 14 and 16 of the Constitution of India.”

3. Learned State counsel has straightway taken this Court to the counter-affidavit filed on behalf of the respondent Nos. 2 to 4 with specific reference to paragraph-34 to show that a Title suit No. 30 of 2015 has been preferred by the petitioners themselves against the respondent No. 6 which is pending before an appropriate Court in the District of Supaul. He, as such submits that the final outcome in the said Title suit No. 30 of 2015 will be binding on the parties.

4. Be that as it may, since no one has appeared the writ petition stands dismissed for non-prosecution.

(Rajiv Roy, J)

Adnan/-

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