

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16280 of 2018

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Surendra Prasad Sinha Son of Late Jagdamb Lal, Resident of Village-PO and Police Station- Mahihari, District-Katihar.

... .. Petitioner/s

Versus

1. Doman Singh
2. Pradeep Singh Both (1 and 2) Sons of late Chunchun Singh Resident of Village-Barai Tola, Mahihari, Police Station Mahihari District-Katihar.
3. Sachita Prasad Sinha
4. Achita Prasad Sinha Both (3 and 4) Sons of late Mahesh Lal Singh
5. Shyam Prasad Sinha
6. Vinod Sinha Both (5 and 6) Sons of Late Girija Prasad Sinha
7. Manoj Sinha
8. Pankaj Kumar Sinha Both (7) and (8) Sons of late Saryu Sinha
9. Meera Devi
10. Madhu Devi Both (9 and 10) Daughter of late Saryu Prasad Sinha.

... .. Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. Saroj Kumar Choudhary

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-09-2025 No one appears on behalf of the petitioner.

2. The present petition has been preferred for the grant of following relief(s):

“(i) for setting aside the order dated 15.03.2017 passed in Revenue Appeal No. 01/2017 by the learned Sub Divisional Magistrate, Manihari, Katihar, whereby, on wrong assumption of facts and law, in a most



illegal and arbitrary manner and without application of mind, the appeal of the petitioner was rejected at the threshold.

(ii) for setting aside the order dated 05.10.2015 passed by the learned Circle Officer, Manihari, Katihar in Case No.01/2015-16 whereby, application of respondent 1st Set filed under Section 48(d) of the Bihar Tenancy Act for opening of Jamabandi in their names and grant of rent receipt to them was allowed against the provisions of law inasmuch a bonafide civil disputes with complex question of title between the parties in respect to subject matter of the case was pending.

(iii) for holding that when a Title Suit bearing No. 20 of 1997 in respect to inter se dispute of right, title and interest between the petitioner and the Respondents 1st Set is still pending, it was not permissible for the learned Circle Officer, Manihari, Katihar to entertain, hear and adjudicate a case for opening of Jamabandi or mutation in respect to the subject



matter land of the title suit as aforementioned.

(iv) for holding that when a party is interested in getting Jamabandi opened and the subject matter land sought to be mutated in one or the other's favour during pendency of the title suit, they should either wait for outcome of the title suite or take another legal recourse available to him.

(v) for any other appropriate relief or reliefs to which the petitioners may be deemed entitled to.”

3. For want of prosecution, the writ petition stands dismissed.

(Rajiv Roy, J)

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