

(2000) 02 SC CK 0100

In the Supreme Court Of India

Case No : Civil Appeal No. 1014 of 2000 Arising out of SLP (C) No. 2973 of 1999

Kamta Singh and Others

APPELLANT

Vs

State of Bihar and Others

RESPONDENT

Date of Decision : 11-02-2000

Acts Referred:

Citation : AIR 2000 SC 1283 : (2000) AIRSCW 965 : (2000) 2 JT 573 : (2000) 4 MPHT 5 : (2000) 1 RLW 121 : (2000) 2 SCALE 189 : (2000) 3 SCC 668 : (2000) 2 SCR 88 : (2000) 2 Supreme 365

Hon'ble Judges : S. Saghir Ahmad, J;R. P. Sethi, J

Bench : Division Bench

Final Decision : Disposed Of

Judgement

1. Leave granted.

2. The appellants' writ petition was disposed of by the learned single Judge of the High Court with the observations that since the writ petition involved disputed question of title, the appellants may approach the Civil Court for appropriate relief. Unfortunately, the appellants filed an L.P.A. against the judgment of the single Judge. The learned Judges dismissed the L.P.A. with a positive finding on the question of title which, in the circumstances of the case, could not have been recorded unless full evidence was brought on record.

3. Consequently, we allow this appeal at the initial stage, as the respondents are represented before us and we have heard their counsel. The order passed by the Division Bench is set aside and the appellants are directed to seek their remedy in the Civil Court in respect of the property in question, if they are so advised.