

(2021) 02 PAT CK 0037

In the Patna High Court

Case No : Letters Patent Appeal No. 307 Of 2019, Civil Writ Jurisdiction Case No. 1305 Of 2019

Krishna Kumar Singh Arya @ Heera Lal Yadav

APPELLANT

Vs

State Of Bihar And Ors

RESPONDENT

Date of Decision : 04-02-2021

Acts Referred:

Constitution Of India, 1950 — Article 226

Citation : (2021) 02 PAT CK 0037

Hon'ble Judges : Sanjay Karol, CJ;S. Kumar, J

Bench : Division Bench

Advocate : Raj Kishor Prasad, Lal Bahadur Singh, Ashok Kumar, Md. Khurshid Alam, Nutan Sahay

Final Decision : Dismissed

Judgement

The present Letters Patent Appeal has been filed against the order dated 22.01.2019 passed by a learned Single Judge of this Court in C.W.J.C. No.

1305 of 2019 titled as Krishna Kumar Singh Arya @ Heera Lal Yadav Vs. The State of Bihar and Others.

Having heard learned counsel for the parties as also having gone through the records of this case, we find no infirmity with the impugned order dated

22.01.2019 passed in C.W.J.C. No. 1305 of 2019 titled as Krishna Kumar Singh Arya @ Heera Lal Yadav Vs. The State of Bihar and Others.

It is a settled proposition of law that mere mutation does not confer any right or title.

Based on the entry of mutation in the Revenue record, more so when the State seriously refutes the appellant's claim of title, this Court, in view of

the disputed question of fact, cannot entertain the present appeal filed under

Article 226 of the Constitution of India.

As such, we find that the learned Single Judge has rightly dismissed the writ petition reserving liberty to the writ-petitioner, appellant herein, to take recourse to remedies by way of filing a Civil Suit.

As such, the present Letters Patent Appeal, devoid of merit, stands dismissed.

Interlocutory Application(s), if any, shall stand disposed of.