

**IN THE COURT OF COMMISSIONER, SARAN DIVISION, CHHAPRA**

Mutation Revision No.- 20/2010

Bharat Singh & Others ----- -- Petitioners

Vs

Mahatam Singh & Others ----- Respondents

**ORDER**

**22.03.2013**

The instant revision petition is directed against the impugned order passed by Addl. Collector, Siwan in Jamabandi correction case No.-26/2003-04 on 22.12.2009

2. Heard the learned counsel for the parties. The learned counsel for the petitioner submitted that the learned Addl. Collector without going into the order and direction given by this Court in Mutation Revision case No.-2 of 2004-05 in which the Court had directed the Addl. Collector to consider the fact and law as well as factum of possession to hear the parties, pass the order hence the same may be set aside.

3. The learned counsel for respondents strongly opposed the submission made by the learned counsel for the petitioner and submitted that the petitioner's case is fit to be dismissed in view of the fact that the present petitioner has also filed a case bearing Title suit No.- 736/2012 in the Court of Sub-Judge-I, Siwan to decide the title over the land involved in this case, hence this revision is fit to be dismissed.

4. Considering the fact and circumstance of the case and rival submission forwarded by the learned counsels for the contesting parties, I am also of the view that as the petitioner already approached the Civil Court for the declaration of title over the disputed land involved in the present case, during the pendency of this case before this Court, I do not find any substantial reason to decide this case at this stage

5. For the reason aforesaid, this revision petition is disposed of so that the parties can pursue their case in the appropriate Court.



(C. Lalsawta)

Commissioner, Saran Division, Chapra