

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3158 of 1995

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1. Umesh Narayan Dubey, son of Shri Ramjee Dubey.
 2. Dinesh Narayan Dubey, son of Shri Ramjee Dubey.
 3. Devendra Kumar Dubey, son of Late Ramayan Dubey.
 4. Purusotam Tiwary, son of Late Kedar Tiwary.
 5. Dharmdeo Mishra, son of Late Radha Mishra.
 6. Suryadeo Dubey, son of Late Mndrika Dubey.
 7. Shri Niwash Dubey, son of Shri Deo Nandan Dubey.
 8. Dukhi Ram, son of Late Manar Ram.
 9. Gopal Dubey, son of Shri Deo Nandan Dubey.
 10. Ramanuj Tiwary, son of Shri Kamta Tiwary.
 11. Parmanand Tiwary, son of Late Jairam Tiwary.
 12. Kamta Tiwary, son of Late Jairam Tiwary.
 13. Lakshmi Narayan Tiwary, son of Late Ayodhya Tiwari.
 14. Baban Paswan, son of Shri Samaru Paswan.
 15. Rup Narayan Ram, son of Shri Kaudi Ram.
 16. Nand Kumar Singh, son of Late Manu Singh.
 17. Awadhesh Kumar Trivedi, son of Late Jai Mangal Tiwary.
 18. Arun Kumar Trivedi, son of Late Dashrath Tiwary.
 19. Surendra Tiwary, son of Late Ramanugrah Tiwary.
 20. Brajraj Kishore Tiwary, son of Late Kedar Nath Tiwary.
 21. Narvadeshwar Tiwary, son of Late Ram Bahadur Tiwary.
 22. Rita Kuar, wife of Late Surendra Mishra.
 23. Shyam Narayan Mishra, son of Late Jagdish Mishra.
 24. Krishna Gopal Dubey, son of Late Ram Chandra Dubey.
 25. Ramjee Dubey, son of Late Ram Chandra Dubey.
 26. Onkar Nath Tiwary, son of Shri Bindeshwari Tiwary.
 27. Rajendra Dubey, son of Late Jag Narayan Dubey.
 28. Dadhibal Dubey, son of Late Sukhdeo Dubey.
 29. Madheshwar Tiwary, son of Shri Bashishtha Tiwary.
 30. Ram Dal Dubey, son of Late Babu Lal Dubey.
 31. Mithilesh Kumar Tiwary, son of Late Chandra Shekhar Prasad Trivedi.
 32. Kameshwar Tiwary, son of Shri Vikrmaditya Tiwary.
 33. Dr. Krishna Kumar Tiwary, son of Late Janak Tiwary.
 34. Rameshwar Tiwary, son of Late Gauri Shankar Tiwary.
 35. Rajeshwar Tiwary, son of Late Ramjeet Tiwary.
 36. Vidyawati Devi, daughter of Late Sahdeo Tiwary.
 37. Lalan Dubey, son of Late Jag Narayan Dubey.

All residents of village-Pipardih, P.O.-Chitoukher, P.S.-Nasriganj, District-Rohtas. Petitioners.

Versus

1. The Joint Director of Consolidation, Bihar, Patna, Land Mortgage Bank, Budh Marg, Patna, Bihar.
2. The Village Advisory Committee, Village-Pipardih, .O.-Chitoukher, P.S.-Nasriganj, District-Rohtas.
3. (a) Mostt. Harmuna Kuar, wife of Late Prabhu Nath Dubey.
(b) Shashi Kant Dubey,
(c) Ravi Kant Dubey,
Both sons of Late Prabhu Nath Dubey.
4. Utsaw Dubey,

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5. Mahatam Dubey,
Both sons of Dudh Nath Duey.
All residents of village-Pipardih, P.O.-Chitoukher, P.S.-Nasriganj, District-
Rohtas. Respondents.

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH
ORAL JUDGMENT

Date: 30-04-2015

No one appears for the petitioner and the private-respondents.

Heard learned counsel for the State.

The present writ application is directed against the order of the Joint Director of Consolidation, Bihar, Patna and in particular the order dated 16.05.1994 passed by him in Revision Case No.3233 of 1987. From the averments as made in the writ petition, it appears that the consolidation proceedings having concluded, a belated revision application was filed by the contesting private-respondents who are three brothers. It was entertained and on flimsy grounds. The entire proceeding in relation to the entire village was set aside. This was without notice to the villagers and were all affected.

In the counter affidavit, all that is stated is that some of the petitioners were noticed. Reports had been called for and in view of the gross irregularity committed, the conciliation proceedings as a whole for the village had been set aside.

Having considered the matter, in my view, the

consolidation exercise, which had started in the year 1972 and ended in 1984, could not have been set aside so lightly and that too without notice to all the parties. Valuations were asserted and settled in 1972. In 1994, the revisional authorities should not have not lightly interfered in the matter.

In that view of the matter, this Court does not think it proper to sustain the impugned order as contained in Annexure-1 to this writ application. It is set aside. Accordingly, the writ application is allowed.

(Navaniti Prasad Singh, J.)

Trivedi/NAFR

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