

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6968 of 1996

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Ambika Singh

.... Petitioner

Versus

Joint Director of Consolidation, Muzaffarpur & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma, Advocate
 Mr. Laxmi Kant Tiwary, Advocate

For the Respondent/s : Kumari Amrita, G.P. 10
 Mr. Mirtunjay Kumar,
 AC to G.P.10

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
 PRATAP SINGH**
ORAL ORDER

5 23-04-2015 In spite of valid service of notice, no one appears on
 behalf of respondent No.3.

The petitioner submits that an order under Section 10 of the Bihar Consolidation of Holding and Prevention of Fragmentation Act, 1956 was passed by the Assistant Consolidation Officer without notice to him. The petitioner thereafter filed a revision before the Director, Consolidation being Consolidation Revision Case No.2714 of 1989. The learned Revisional Court fixed 22.8.1995 for filing documents which the petitioner asserts to have done. A copy of list of documents filed on 22.8.1995 is annexed as Annexure-2.

The grievance of the petitioner is that the Joint Director of Consolidation wrongly came to the conclusion that no

document was filed by the petitioner.

In view of specific assertion in this petition and also in view of Annexure-2, I find that the petitioner has made out a case for interference by this Court.

In the result, this writ application is allowed and the impugned order, dated 28.8.1995 passed by the Joint Director of Consolidation, Muzaffarpur in Revision Case No.2714 of 1989 is set aside and the matter is remitted for fresh consideration on merit after issuance of notice to all the parties.

(Samarendra Pratap Singh, J)

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