

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7576 of 1994

1(i). Indradeo Tiwary, son of Late Radha Mohan Tiwary
1(ii). Jang Bahadur Tiwary, son of Late Radha Mohan Tiwary
1(iii). Sheoji Tiwary, son of Late Radha Mohan Tiwary
1(iv). Shanti Devi, wife of Late Shambhu Ji Tiwary
1(v). Deepak Kumar (minor), son of Late Shambhuji Tiwary
1(vi). Dilip Kumar (minor), son of late Shambhuji Tiwary
1(vii). Sonu Kumar (minor), son of late Shambhuji Tiwary
1(viii).Vivek Kumar (minor), son of Late Shambhuji Tiwary
All resident of Village- Surajpura, P.S.- Surajpura, Distt- Rohtas.

.... Petitioners

Versus

1. The State of Bihar
2. Joint Director Consolidation, Head Quarter, Patna.
3. Deputy Director, Consolidation, Rohtas at Sasaram
4. Consolidation Officer, Dawath, Police Station- Dawath, District- Rohtas
5. Ganesh Tiwary, son of Radha Bihari Tiwary,
Resident of Village- Suryapura, P.O.- Suryapura, Police Station- Suryapura,
District- Rohtas.

.... Respondents

Appearance :

For the Petitioners : Mr.
For the State : Mr. Din Bandhu Singh, G.P. IX.
Mr. Santosh Kumar, Advocate.

CORAM: HONOURABLE MR. JUSTICE V.N. SINHA

ORAL JUDGMENT

Date: 15-05-2015

Heard learned counsel for the
petitioners and Sri Din Bandhu Singh, G.P. IX.

2. Petitioner is aggrieved by order dated
16.07.1994 passed by Joint Director,
Consolidation (Headquarter), Bihar, Patna in
Revision Case No. 421/93, Annexure-6,
whereunder Plot Nos. 1827, 1828, 1829 and 1830
of Village Surajpura has been directed to be out of

the Chak contrary to the recommendation of the Village Advisory Committee, contained in Annexure-1, report of the Consolidation Officer, Annexure-3. It is submitted on behalf of the petitioners that Director being the Revisional Authority had no jurisdiction to pass such order ignoring recommendation of the Village Advisory Committee and the report, as the order passed by the Consolidation Officer placing reliance on the Village Advisory Committee under Section 11 of the Act is final.

3. Finality envisaged under Section 11 of the Act is always subject to revisional power of the Director and if the Director having noticed location of the plot as also the fact that the plots-in-question were in front of the house of the parties, in my opinion, rightly directed to keep the plots-in-question out of the Chak land.

4. The writ petition is dismissed.

(V.N. Sinha, J)

P.K.P.

U		T	
---	--	---	--