

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9138 of 1994

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1. Md.Hameed Son of Late Md. Yakub alias Yakub Miyan
 2. Ibrahim Miyan alias Md. Ibrahim son of Late Hafuddin
 3. Raj Kishore Singh son of Late Ram Kumar Singh. All residents of village – Basantpur, Pargana- Ara (Previously Sahabad)

.... Petitioner/s

Versus

1. The Principal, Consolidation Training Institute Directorate of Consolidation, Patna
2. Consolidation Officer, Ara (Bhojpur)
3. Sukhdeo Sonar son of Jagarnath Sonar
4. Jalim Sonar alias Ram Janam Sonar son of Ram Manorath Sonar alias Anarath Sonar
5. Krishna Sonar son of Ram Ayodhya Sonar. Respondent nos. 3 to 5 are resident of village – Basantpur, Pargana- Ara, P.S. – Ara, Mufassil, Dist. – Bhojpur (Previously Sahabad)
6. The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent/s : None

For the State : Mr. Din Bandhu Singh, G.P.-9

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CORAM: HONOURABLE MR. JUSTICE V.N. SINHA

ORAL JUDGMENT

Date: 21-05-2015

None appears either for the petitioners or for the
contesting Respondent no.5. Sri Din Bandhu Singh, G.P.-9 is present
for the State.

2. Petitioner is aggrieved by the order dated 30.06.1994
passed by Principal, Consolidation Training Institute, Bihar, Patna in
Revision Case No. 3738 of 1986, Annexure-6 whereunder learned
Principal ignoring the Civil Court order dated 12.07.1974 passed in
Title Suit No. 34 of 1971 by the Court of 3rd Munsif, Ara, Annexure-1
declaring the possession of Respondent no.5 over the lands in
question has passed the impugned order and thereby

ignored the declaration made by the competent Civil Court in paragraph 6 of the aforesaid order dated 12.07.1974, Annexure-1, which is quoted hereinbelow:

“It is therefore declared that the suit land belongs to the plaintiff and the plaintiff and defendant No. 6 are in possession thereof. Their possession is hereby confirmed and defendant Nos. 1 to 5 are hereby restrained permanently from interfering with their possession.”

3. In view of the finding records by the competent Civil Court, I set aside the impugned order dated 30.06.1994, Annexure-6 passed by the Principal, Consolidation Training Institute, Bihar, Patna in Revision Case No. 3738 of 1986.

4. The writ petition is, accordingly, allowed.

(V.N. Sinha, J.)

Arjun/-

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