

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.765 of 1997

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Shiva Nand Chaudhary & Ors

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ratnesh Nandan Sinha

For the Respondent/s : Mr. Narendra Kumar Singh, AC to G.P.2

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

4 07-05-2015 The petitioners seek quashing of order dated 24.4.1996 passed by the Joint Director of Consolidation, Muzaffarpur in Revision Case No.100/1995.

According to the petitioner one Jagdeo Chaudhary has four sons namely Dwarika Chaudhary, Ram Ashray Chaudhary, Basdeo Chaudhary and Ram Bujhawan Chaudhary. Petitioner nos.1 to 3 are sons of Dwarika Chaudhary whereas respondent No.3 is son of Basdeo Chaudhary. The petitioners state that they had sold their share in favour of petitioner no.4. They state that they are not claiming any further right in the land of Jagdeo Chaudhary after selling the same in favour of petitioner no.4. The petitioners state that after sale of land, the petitioner no.4 has come in possession of the land in question. The petitioners further state that the Joint Director Consolidation erred in

declaring the rights of respondent No.3 setting aside the order of Joint Director Consolidation.

No one appears on behalf of respondent no.3 despite filing of appearance.

In the circumstances, this court has no option but to set aside the order dated 24.4.1996 passed by the Joint Director of Consolidation, Muzaffarpur in Revision Case No.100/1995 and remit the matter to him for afresh decision in accordance with law.

In the result, this writ application is allowed.

(Samarendra Pratap Singh, J)

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