

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 6653 of 1995

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Mohini Ranjan Prasad Singh, son of late Ganesh Narain Singh, Village and PO –
Swaha, PS – Sahpur, District – Bhojpur, at present residing at Maharaja Hata, PS –
Nawada Arrah, District - Bhojpur

.... Petitioner/s

Versus

- 1 Director, Consolidation, Bihar, Patna
- 2 Principal, Consolidation Training Institute, Bihar, Patna
- 3 Deputy Director, Consolidation, Bhojpur, Arrah
- 4 Assistant Director, Consolidation, Bhojpur, Arrah
- 5 Consolidation Officer, Jagdishpur, Bhojpur
- 6 Consolidation Officer, Barahara at Arrah, Bhojpur
- 7 Srinath Singh, son of late Ram Kailash Singh
- 8 Bijoy Mal Singh, son of late Ram Narain Singh
- 9 Suraj Singh, son of late Ram Dayal Singh
- 10 Srikant Sahay, son of late Ram Sakal Singh
- 11 Vijay Bahadur Singh, son of late Ram Dhyan Singh
- 12 Ram Ashish Singh, son of late Dhyani Singh
- 13 Sheo Chand Singh, son of late Sitaram Singh, residents of Village – Sangam
Tola, PO & PS – Jagdishpur, District – Bhojpur
- 14 Rajendra Chaudhary, son of late Radha Kishun Chaudhary
- 15 Amrendra Chaudhary, son of late Hari Prasad Chaudhary
- 16 Ramchandra Chaudhary, son of late Amir Chand Chaudhary, residents of
Village and PO – Jagdishpur, PS – Jagdishpur, District - Bhojpur

.... Respondent/s

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For the Petitioner/s : Mr Jitendra Prasad Singh, Advocate

For the State : Mr Narendra Kumar Singh, AC to GP II

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CORAM: HON'BLE MR JUSTICE NAVANITI PRASAD SINGH

ORAL JUDGMENT

Date: 21-05-2015

An interlocutory application being IA No 3741 of 2007
has been filed for substituting the sole petitioner. Heard.

2 IA No 3741 of 2007 is allowed. As the substituted
heirs have already appeared, no further steps need be taken in this
regard.

3 By this writ petition, the petitioner challenges the

order of the consolidation authorities refusing to amend the entries in respect of the disputed land which was made in favour of the contesting respondents.

4 As per the petitioner, petitioner's ancestors had purchased the said land by registered sale deed in the year, 1940. Accordingly, their names were mutated and they were paying rent to the landlord. According to them, this continued even after vesting of *Zamindari*. In the year 1973, when revisional survey was taken up, these lands got divided between respondent second party and respondent third party to the exclusion of the petitioner. He was not aware of this. On being aware of this fact, when the consolidation proceedings started, he made an application for correction of entries which was rejected at all stages. Hence, this writ petition.

5 Having gone through the orders under challenge, it appears that petitioner had filed a Title Suit also in respect of the said land which was dismissed and he preferred no appeal. He admits that he did not take steps for getting the entry of revisional survey corrected. From the ordersheet, it is clear that the consolidation authorities passed the order after spot verification which findings have not been challenged.

6 In view of the aforesaid fact and consistent finding by the lower Courts, I am not inclined to interfere in the matter. This

application is, accordingly, dismissed.

7 However, once the consolidation proceedings conclude, it would be open to the petitioner to move before competent Civil Court for declaration of his title and of restoration of his possession from which he has been dispossessed.

(Navaniti Prasad Singh, J)

M.E.H./-

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