

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 4294 of 1994

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Allaudin Ahmad, son of late Gulam Ahmed, resident of Village – Chehra Kala, PO
Baksama Jia Mahua, PS & Anchal – Garaul, District - Vaishali

.... Petitioner/s

Versus

- 1 The State of Bihar
- 2 Joint Director, Consolidation, Muzaffarpur, Bihar
- 3 Deputy Director, Consolidation, Vaishali at Hajipur, Bihar
- 4 Consolidation Officer, Anchal – Goraul, District – Vaishali
- 5 Md Zakir
- 6 Md Shoaib
- 7 Md Sabir, sons of late Md Tahir, residents of Village – Chehra Kala, PO –
Baksama Viz Mahua, PS and Anchal – Goraul, District - Vaishali

.... Respondent/s

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CORAM: HON'BLE MR JUSTICE NAVANITI PRASAD SINGH

ORAL JUDGMENT

Date: 01-04-2015

Heard learned counsel for the petitioner, State and private respondents.

2 It appears that both the parties are agnates. There was some ancestral land. Petitioner claims that there were certain wrong entries in the revisional survey and he had made an application for correction thereon in the survey proceedings itself. While that matter was pending, the area was notified for consolidation and, accordingly, those proceedings abated. He then filed an application before the Consolidation Officer for necessary correction which was partly allowed. He, thereafter, preferred an appeal but by the time the appeal was taken up, the consolidation proceedings ended and the area was denotified. Accordingly, the appeal proceedings were dropped. The

petitioner is aggrieved by the said order.

3 Having heard the parties, in my view, once the consolidation proceedings have ended, the bar, as contemplated under Section 4 (c) is lifted and, accordingly, it would be open to the petitioner to get the matter finally settled through Civil Court of competent jurisdiction where all the issues with regard to correction of the revisional survey entry or other such question can be gone into and decided. The petitioner would be well advised to avail of the said forum.

4 With these observations, this application stands disposed of.

(Navaniti Prasad Singh, J)

M.E.H./-

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