

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3860 of 1996

=====

Rameshwar Pandey son of Late Mahangu Pandey village Pakri Misharain, P.O. Bairiya, P.S. Kateya, District Gopalganj at present residing at F-103 P.S. Colony, Kankarbagh, Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Joint Director of Consolidation, Muzaffarpur
3. Deputy Director of Consolidation, Siwan
4. Consolidation Officer, Kateya, P.O. Kateya, Gopalganj
5. Assistant Consolidation Officer, Kateya, P.O. Kateya, Gopalganj
6. (1) Most. Nirmala Devi D/o Late Awadhesh Pandey, the daughter in law of Late Ragho Pandey
6. (ii) Panchanand Pandey
6. (iii) Chandra Bhushan Pandey both sons of Late Ragho Pandey all 3 of the resident of village Pakri, Mishrine, P.O. Bairiya, P.S. Kateya, Gopalganj

....Respondents

Appearance:

For the petitioner

Mr. Naresh Chandra Verma

Mr. Raj Narayan Mishra

For respondent no. 7

Mr. Maheshwar Dhar Dwivedi

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL JUDGMENT

Date: 09-04-2015

Heard Mr. Verma for the petitioners and Mr. Dwivedi for the respondent no.7.

The application arises out of a consolidation proceeding whereby the right, title and interest over the subject land has been decided.

Both the parties agree that serious disputed questions of fact are involved and the matter has been considered and decided in a summary manner. The same can be raised before a Civil Court of competent jurisdiction by the aggrieved party as complicated legal questions are involved.

I have gone through the order passed by the

Director/Consolidation Authority. In my view also, several disputed questions of facts are involved respecting the claim/counter claim of the parties.

In that view of the matter, as agreed at the Bar, the writ petition is disposed of permitting the aggrieved party to seek remedy before the Civil Court of competent jurisdiction. In case the suit is filed within a reasonable period of time, the same shall be considered and disposed of in accordance with law. No party shall be granted undue benefit of the order which the Consolidation Authorities have passed in their favour at one stage of the proceeding or the other.

(Kishore Kumar Mandal, J)

HR/-

U			
---	--	--	--