

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.612 of 1997

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Sita Ram Saksena

.... Petitioner/s

Versus

Joint Director of Consolidation & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma

For the Respondent/s : Mr. (Gp2)

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

8 07-05-2015 The petitioner prays for setting aside the order dated 15.12.1996 passed by Respondent No.1 in Revision Case No.739 of 1989.

The petitioner states that the land in dispute relates to Plot No.3032 situated in village Desari in the district of Vaishali. The petitioner states that the respondent no.4 initially in the consolidation proceeding made a claim that she purchased Plot No.3032 from the petitioner and not plot no.3031. However, the aforesaid fact is not borne from the sale deed which is Annexure-7. To this extent, I may agree with the submission of learned counsel for the petitioner.

It appears that respondent No.4 subsequently changed her stand and stated that she purchased Plot no.3032 from Most. Chuliha Devi.

I find that respondent No.4 is not consistent and as such the order of respondent No.1 passed in Revision Case No.739 of 1989 dated 5.12.1996 is not sustainable in law and is accordingly set aside. However, liberty is granted to respondent No.4 to take all points in regular suit.

With the aforesaid observations and directions, this writ application is allowed.

(Samarendra Pratap Singh, J)

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