

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.803 of 2015
Arising out of
Civil Writ Jurisdiction Case No. 14353 of 2010**

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1. Faiz Ahmad Ansari
2. Jaki Ahmad
3. Jubair Ahmad
4. Pervez Ahmad Ansari
5. Samim Ahmad,
All sons of Late Ismail Mian
6. Israt Jahan
7. Khairon Nisa
8. Yasmin Parveen
9. Jamila Khatoon
All the daughters of Late Ismail Mian,
All residents of Village Banauli, P.S. Chenari, District Rohtas (Pre-emptor)
..... Petitioners - Appellants

Versus

1. The State of Bihar,
2. The Additional Member, Board of Revenue, Govt. of Bihar, Patna
3. The Additional Collector, Rohtas at Sasaram
4. The L.R.D.C., Rohtas at Sasaram ... Respondent 1st Party ... Respondent 2nd party
5. Nasim Mian son of Late Yusuf Mian Resident of village Banauli, P.O. P.S.Chenari, District Rohtas .. (Vendor) (Opp. 2nd Party) ... Respondent 2nd party.
6. Md. Hadis Ansari son of Hazi Abdul Halim Resident of village Banauli, P.O. and P.S. Chenari, District Rohtas. Vendee.. (Petitioner) .. Respondent 3rd party.
..... Respondents.

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Appearance:

For the Appellant/s : Mr. Mukesh Kumar
For the Respondent/s : Mr. GP2- RAJIV KR.SINGH

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 27-07-2017

The Court of law cannot be indulgent towards litigants,
who deliberately have tried to hoodwink the Court by not making a
declaration about a previous writ application having been moved



against the impugned order passed by a Member, Board of Revenue. A statement made in the writ application about lack of knowledge about the order of the Member, Board of Revenue, has also been disproved by the respondents in their counter affidavit by giving details about the number of requisitions filed as well as the dates on which the certified copies of the order of the Member, Board of Revenue was obtained.

In the opinion of this Court, the learned single Judge was indulgent by only imposing cost upon the appellants to be deposited before the Bihar State Legal Services Authority, Patna, and not ordered prosecution of these appellants.

The conduct of the appellants being what it is and the order indicates such a position in detail, it is not a fit case where any interference is required to be made in the interest of justice as well as to keep the stream of justice pure.

Appeal has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

Dilip, AR

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