

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1954 of 2015
Arising out of
Civil Writ Jurisdiction Case No. 11226 of 2009**

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Ashok Kumar Thakur, son of Bijali Thakur, Resident of Village - Mahadaiya, P.S.
Minapur, District - Muzaffarpur

.... Appellant/s

Versus

1. The State of Bihar through Joint Director of Consolidation, Muzaffarpur
2. The Assistant Consolidation Officer, Minapur, Muzaffarpur
3. Baldeo Mahto, son of Deo Chandra Mahto, Resident of village- Mahadaiya, P.S.
Minapur, District- Muzaffarpur
4. Pramod Kumar Thakur
5. Vinod Kumar Thakur
Both sons of Bijali Thakur
All resident of village- Mahadaiya, P.S. Minapur, District- Muzaffarpur

.... Respondents

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Appearance:

For the Appellant/s : Mr. Naresh Chandra Verma and
Mr. Sujeet Kumar Gupta, Advocates.

For the Respondents-State: Mr. Pratik Kr. Sinha, AC to GA 5 Mr Ajay.

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

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

Date: 07-09-2017

Heard learned counsel for the appellant and learned
counsel representing the State.

The appellant is aggrieved by order dated 11.05.2015
passed in CWJC No. 11226 of 2009 by which the Writ Application
preferred by the petitioner, who is respondent no. 3 herein, has been
allowed by the learned Single Judge. The learned Single Judge has set
aside the impugned order dated 08.04.2009 passed by the Joint



Director, Consolidation in Revision no. 39/2008 (Annexure-3 to the Writ).

A perusal of the order passed by the learned Single Judge shows that it is a case in which the respondent no. 3 moved the revisional authority, i.e., Joint Director once again in the year 2008 after rejection of the first revision application being Revision Case No. 73 of 2007.

The learned Single Judge has taken note of the fact that the first revision application was dismissed and thereafter the second revision application was preferred and it was also noticed that even the first revision was filed after a period of 27 years from the date of passing of the order by the Assistant Consolidation Officer.

In the facts of the case, the second revision application was not even maintainable and, therefore, we do not find any infirmity or illegality in the impugned order.

Appeal has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

Dilip, AR

AFR/NAFR	NAFR
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