

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6364 of 2015

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1. Gouri Shankar Jha
 2. Hari Shankar Jha
 3. Mani Shankar Jha

All sons of late Pitambar Jha, resident of village-Rakouli, P.O.
Lakhpura, P.S. Panjwara, District-Banka

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna
2. The Director Consolidation of Bihar, Patna.
3. The Collector, Banka
4. The Circle Officer, Barahat, District-Banka
5. The Consolidation Officer, Barahat, District-Banka
6. Baikunth Jha, S/o Late Pitambar Jha, resident of village-Rukouli, P.O. Lakhpura, P.S.- Panjbara, District-Banka

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Subodh Kumar Jha
Mr. Pranav Kumar Jha

For the Respondent/s : Mr. Ajit Kumar
Mr. Sandeep Kumar

For the State : Mr. Indeshwari Pd. Mandal, A.C. to G.A.3

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 16-01-2018 Heard both sides.

The petitioners filed this writ petition against the order dated 15.01.2013 passed by the Director, Consolidation in Revision No.278 of 2011.

Respondent No.6, Baikunth Jha filed Revision Case No.278 of 2011 against the order of the Consolidation Officer by which the Consolidation Officer ordered to enter the names of Baikunth Jha, Gauri Shankar Jha, Hari Shankar Jha and Mani Shankar Jha in the record of rights showing equal share among the



four brothers. Respondent No.6 pleaded before the Director, Consolidation that in fact, Pitambar Jha got two wives namely Amdani Devi and Kadambari Devi. Baikunth Jha born from the wedlock of Amdani Devi whereas the petitioners Gauri Shankar Jha, Hari Shankar Jha and Mani Shankar Jha born from the wedlock of Kadambari Devi but the Consolidation Officer illegally ordered to enter the names of all four brothers having equal share. Respondent No.6 is entitled to get half share in the land. The Director, Consolidation without hearing other sides, the petitioners, allowed the revision petition vide order dated 15.01.2013. Petitioners being aggrieved by the aforesaid order filed this writ petition.

During the pendency of this writ petition, the petitioners and his step brother, respondent No.6, Baikunth Jha entered into a compromise and the I.A. petition No.7568 of 2017 is filed for disposal of this writ petition. As per the terms of compromise all the four brothers agreed that they will get equal share in the lands of Pitambar Jha including the lands of Khata No.18, Khata No.75, Khata No.62, 63, 293 and 294. The learned counsel for the respondent No.6 submits that all the four brothers entered into compromise.

Having considered the facts aforesaid, the I.A. petition is allowed. The writ petition is disposed of in terms of



compromise among the four brothers that all the brothers will get equal share standing in the name of Pitambar Jha, the father of the petitioners and respondent No.6.

Thus, the writ petition is disposed of.

(Prabhat Kumar Jha, J)

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