

(2006) 01 PAT CK 0067
In the Patna High Court
Case No : CWJC No. 1905 of 1988

Udai Narayan Rai and Others		APPELLANT
	Vs	
The State of Bihar and Others		RESPONDENT

Date of Decision : 03-01-2006

Acts Referred:

Bihar Consolidation of Holdings and Prevention of Fragmentation Act, 1956 — Section 4(c)

Citation : (2006) 1 PLJR 486

Hon'ble Judges : Narayan Roy, J

Bench : Single Bench

Advocate : Ram Shankar Pradhan, for the Appellant;

Judgement

Narayan Roy, J.—Heard Mr. Ram Shankar Pradhan, learned counsel for the petitioner. However, no one appears on behalf of the respondents. This application arises out of the orders passed by the respondent authorities under the provisions of the Bihar Consolidation of Holdings and Prevention of Fragmentation Act (hereinafter referred to as "Act").

2. It is submitted by learned counsel for the petitioners that earlier Title Suit No. 54 of 1959, which was filed, was dismissed, against which Title Appeal No. 58 of 1962 was filed, which was allowed and the suit was restored to its file for rehearing, which ultimately abated on a petition filed by the respondents 1st set u/s 4(c) of the Act.

3. The suit, which had abated during the pendency of the consolidation proceeding, now would automatically revive in view of the Special Bench decision of this Court in case of Ram Krit Singh and Ors. vs. The State of Bihar and Ors. (1979 BBCJ 259).

4. The parties will appear before the suit court and the suit would be disposed of in accordance with law. With the direction/observation aforesaid, this application is disposed of.