

ITEM NO.4 Court 15 (Video Conferencing)

SECTION XI

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 16581-16582/2021

(Arising out of impugned final judgment and order dated 27-08-2021 in CMRA No. 132/2021 12-07-2021 in CN No. 4845/1985 passed by the High Court Of Judicature At Allahabad, Lucknow Bench)

HARKESH VERMA & ANR.

Petitioner(s)

VERSUS

JOINT DIRECTOR OF CONSOLIDATION & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.133465/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.133464/2021-EXEMPTION FROM FILING O.T.)

Date : 12-11-2021 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DINESH MAHESHWARI
HON'BLE MR. JUSTICE VIKRAM NATH

For Petitioner(s) Mr. Alok Kumar Tewari, Adv.
Mr. Ashutosh Lal, Adv.
Dr. Vinod Kumar Tewari, AOR

For Respondent(s)

Mr. Narender Kumar Verma, AOR

UPON hearing the counsel the Court made the following
O R D E R

After having heard learned counsel for the petitioner and having perused material placed on record, we are clearly of the view that the part of the impugned order of the High Court, affirming 2/3rd share of the opposite party No.2 in the land in dispute, is perfectly justified and no case for interference regarding that share of the opposite party No.2 is made out.

However, so far as other part of the order impugned is

concerned, whereby 1/3rd share of the petitioner is forfeited in favour of the Land Management Committee, we find that the contentions sought to be urged on behalf of the petitioner deserve consideration.

Therefore, issue notice, limited to the extent of the said aspect relating to 1/3rd share of the petitioner. The other part of the order impugned is affirmed and this petition is dismissed in relation to the said 2/3rd share of the opposite party No.2.

Notices be made returnable in four weeks.

In the meanwhile and until further orders, status quo in relation to the said 1/3rd share of the petitioner in the land in question, as existing today, shall be maintained by all the concerned.

(TUSHAR BISHT)
COURT MASTER (SH)

(SUNIL KUMAR RAJVANSHI)
BRANCH OFFICER