

Group: Consolidation

**BEFORE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHBAD
LUCKNOW BENCH LUCKNOW**

Civi Misc Appl No. (W) of 2020

Jagdish Singh, aged about 72 years, son of late Manbodh, resident of village Majhon, Pargana, Dharmapur, Tehsil Naanpara, P.S.Motipur, District Behraich (UP).

.....Opposite Party No.4/Appellant

In re:

Writ Petition No.10082 (CONS) of 2017

Jai Shree and others

.....Petitioners

Versus

Deputy Director Consolidation Behraich and others

.....Opposite Parties

APPLICATION ON BEHALF OF OPPOSITE PARTY NO.4 FOR LISTING OF WRIT PETITION

The opposite party no.4/applicant most humbly and respectfully submits as under:-

1. That on 05.05.2017 twenty eight petitioners have jointly filed the above noted writ petition including Dev Narain (petitioner no.12) who was already dead two years earlier from the date of filing of the writ petition and by placing wrong facts the petitioners have obtained interim order on behalf of dead person.
2. That the petitioners were already aware about the death of Sri Dev Narain as the parentage of petitioner no.6, 7, 8, 13, 14, 19 and 22 to

27 has already been shown the same which clearly shows that the petitioners have willingly placed the wrong description in the writ petition. Now the petitioners on 05.07.2017 moved a correction application to which the opposite party no.4 has already submitted objection duly supported by affidavit and the matter is pending and the writ petition was lastly listed before this Hon'ble Court on 28.07.2017 but the same could not be taken up due to heavy causelist.

3. That the petitioners on the basis of interim order dated 09.05.2017 trying to take forcible possession over the land already in the possession of the opposite parties and any untoward incident may took place between the parties as such it is expedient in the interest of justice that the writ petition be listed for hearing on an early possible date.

PRAYER

It is, therefore, most respectfully prayed that the Hon'ble Court be pleased to list the writ petition for hearing on an earlier possible date so that the controversy regarding the correction application be decided and the writ petition be adjudicated on merit.

The opposite party no.4/applicant shall ever pray for this act of kindness.

Lucknow

Dated:09.01.2020

(x)

Advocate

Counsel for opposite Party No.4

A.O.R No.BP0409

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Lucknow

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(x)

Advocate

A.O.R.No.

Mob No.

Counsel for Opposite Party No.4