

ITEM NO.9 Court 9 (Video Conferencing) SECTION XI

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 704/2021

(Arising out of impugned final judgment and order dated 05-05-2020 in WP No. 5825/1980 passed by the High Court of Judicature at Allahabad)

JAMUNA RAI (D) BY LRS. & ORS. Petitioner(s)

VERSUS

THE DEPUTY DIRECTOR OF CONSOLIDATION & ORS. Respondent(s)

(FOR ADMISSION and I.R. and IA No.3905/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 05-02-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s) Mr. L.B.Rai, Adv.
Mr. Karthik Rai, Adv.
Mr. Shankar Divate, AOR

For Respondent(s)

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

Learned counsel for the petitioners endeavoured to persuade us that despite the scrutiny by four Courts, the consolidation officer in favour of the respondent(s), settlement officers and revisionary Court in favour of the petitioner and the High Court in favour of the respondent(s), this Court should examine the issue of the private respondents having received the land in exchange and thus, could not plead adverse possession.

Having heard learned counsel for the petitioners, we are unable to persuade ourselves to once again go into the controversy as the fifth Court in exercise of our jurisdiction under Article 136 of the Constitution, more so, when the private respondents are in cultivatory possession.

The Special Leave Petition is dismissed.

Pending application shall also stand disposed of.

(ASHA SUNDRIYAL)
AR-CUM-PS

(POONAM VAID)
COURT MASTER