

30.06.2015

The petitioners in this writ application calls in question, the order passed by the Joint Commissioner, Consolidation, Bhubaneswar in Revision case No. 369/96.

2. Heard the learned counsel for the parties.
Perused the impugned order.

3. The claim of these petitioners rest upon their purchase of the land in question from one Sripati Sahoo by registered sale deed dated 24.8.92. The purchased land as shown in the deed is the L.R. Plot No. 177/2805 measuring an area Ac.0.02 decimal as was at the not final stage. Finally, Plot No. 177/2805 has been assigned with an area Ac.0.01 decimal by rectification of the mistake as regards the area. Sripati Sahoo, the vendor of the petitioners had filed Objection Case No. 835/91 and that is prior to the deed of sale and Objection case No. 835/91 was dismissed by order dated 8.1.92 which is also prior to the date of purchase as claimed by the petitioners. Thus, it has been held that the sale of land with respect to land under Plot No. 177/2805 measuring an area Ac.0.02 decimal is not valid and the vendor of the petitioners being aware of the correction and the exact area has sold in excess, taking advantage of the recording at the L.R. stage.

4. In that view of the matter, the claim of the petitioners having been disallowed, this Court finds no such error apparent on the face of the order of the Joint Commissioner for interference.

The writ application stands dismissed. No order as to cost.

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D.Dash, J.

Aks