

Puran and Another

Vs

Niranjan Singh and Others

Malkhan Singh and Another

Vs

Board of Revenue and Others

Civil Appeals Nos. 1516 of 1970 and 19 of 1974

(Syed M. Fazal Ali, P. S. Kailasam JJ)

17.04.1980

JUDGMENT

FAZAL ALI, J. –

1. We have heard counsel for the parties and have gone through the judgment not only of the Single Judge of the High Court but also of almost seven courts namely the Revenue Courts as well as the Consolidation Courts who have held that the respondent was the bhoomidar.
2. Mr. Yogeshwar Prasad raised a question of limitation which had also been decided against him by the Revenue Court and fully endorsed by the Single Judge who has given cogent reasons. The Single Judge has observed as follows :

And in all three of the impugned judgments the revenue courts have clearly held that Niranjan Singh remained in possession throughout until the land was attached, and that Malkhan Singh and Pooran Singh did not get possession until the Section 145 case was decided in their favour on March 6, 1953.

3. This was not a case in which the High Court ought to have given the certificate of fitness for appeal in this Court. There is no merit in these appeals which are accordingly dismissed with no order as to costs.

</html