

<p>Parties Involved:</p>

Appellants: Five individuals who disobeyed an order of stay passed by the Allahabad High Court

Applicant: Mahabir

Respondent: Nyaya Panchayat, Jokha Khas, district Deoria

High Court: Allahabad High Court

<p>Facts:</p>

On September 2, 1963, a case was adjourned to December 25, 1963, and an urgent copy of the order was applied for and obtained on the same day

The High Court stayed further proceedings and admitted the application

On December 23, 1963, the Nyaya Panchayat was absent, and the order was signed by three Panchas

A document purporting to be an affidavit was attached to the order

Affidavits were filed in the High Court by Baldeo Prasad, Pairokar of Mahabir, the Sarpanch, and Mahabir

The affiliation was not proper, but the Panchayats told him to get it verified in Tehsil

A writ petition was filed in 1964 against the five appellants

<p>Evidences:</p>

Affidavits filed in the High Court by Baldeo Prasad, Pairokar of Mahabir, the Sarpanch, and Mahabir

Document purporting to be an affidavit attached to the order

- Order sheet containing the evidence

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<p>Arguments:</p>

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- The High Court disbelieved the explanation of the Panchas given before it
- The High Court drew an adverse inference from the fact that the reasons for not accepting the prayer for stay were not recorded
- The learned counsel for the state contends that the facts should not be reappreciated

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<p>Conclusions:</p>

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- The High Court passed an order deliberately against the court's own interest
- The High Court should not have drawn an adverse inference from the fact that the reasons for not accepting the prayer for stay were not recorded
- There is no evidence that the judicial officer had knowledge of the order of the High Court

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