

Allahabad High Court

Smt. Rama vs Board Of Revenue And Others on 12 July, 2010

Court No. - 6

Case :- WRIT - B No. - 36891 of 2010

Petitioner :- Smt. Rama

Respondent :- Board Of Revenue And Others

Petitioner Counsel :- A.K.S. Bais

Respondent Counsel :- C.S.C.

Hon'ble Prakash Krishna,J.

Notice on behalf of respondent No. 1 has been accepted by the learned standing counsel.

Issue notices to the other respondents.

The present writ petition arises out of auction proceedings. The petitioner is the auction purchaser in whose favour sales certificate, etc. has been issued. The objection filed by the land holder was rejected by the District Magistrate but the said order has been set aside by the impugned order.

In paragraph 13 of the writ petition, it has been stated that a Civil Suit No. 52 of 2008 (Phoolmat versus Rama Devi) in respect of the sale deed dated 11.10.2007 executed in favour of the petitioner is pending.

The matter requires consideration.

The eviction of the petitioner from the land in question shall remain stayed provided the petitioner deposits damages for use and auction of land in question @ 10,000/- per annum with the Collector, Farrukhabad.

The first deposit shall be made on or before 31.8.2010. The petitioner shall continue to deposit the damages for the each succeeding years by 31st August of every year.

In case of default, the stay order shall stand vacated.

The final order regarding disbursement of the amount shall be passed at the time of hearing of the writ petition.

Order Date :- 12.7.2010 IB (Prakash Krishna,J)