

आदेश पर की गई  
कारवाई का प्रकार -  
टिप्पणी तारीख का  
साथ

## आदेश और पदाधिकारी का हस्ताक्षर

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In The Court Of: Land Reforms Deputy Collector, Arwal.

Case No. 64/ 2014-15

Kameshwar Singh- applicant

Vrs.

Nagendra Singh- opposite parties

Present- Rakesh Kumar, DCLR

Learned Advocate of applicant

1. Sri. Ranjeet Kumar.

2. Sri. Mahadev Prasad

Learned Advocate of opposite parties

1. Sri. Binod Kumar.

2. Sri. Ram Vinay Ram.

### ORDER

Both the parties appeared at the time of hearing. The present case is related to

#### Schedule

Khata	Khesra	Area A- D	Boundary
522 New 51 Old	1760 587	0=16 $\frac{2}{8}$	N- Nageshwar Singh alias Kallu S- Nagendra Singh. E- Rampukar singh. W- Jai Kishor Singh & Ram Kumar Singh.

Mauza- Abgila, P.S.- Rampur Chauram, Anchal+ Dist-Arwal.

The learned advocate of applicant submitted that land mentioned in schedule was purchased by applicant in name of his wife from Ram Naresh singh s/o Late Gyanchand singh, Parshuram singh s/o Late Luvkush singh & mosmat Rekha kunwar w/o Late Binod Singh, of Mauza- Abgila Tola- Sukhi Bigha through two registered kewala dated 19.10.2000. After this land was mutated & it is in possession of applicant who is cultivating the

30-06-2016

*(Signature)*

land. Learned advocate further stated that in disputed land's south-western portion, applicant has constructed his house by leaving an area of 12 feet in west and an area of 05 feet in southern side and in remaining area varieties of trees exists. Learned advocate alleged that opposite parties namely Nagendra singh (opposite party 01), Jai kishor singh (opposite party 02) & Ram kumar singh (opposite party 03) both s/o Late Motilal singh and Nageshwar singh alias kallu (opposite party 04) s/o Late Dudheshwar singh are having greedy eyes on the vacant boundary land of applicant. Learned advocate said that opposite party are aggressive in nature and forcibly wants to dispossess the applicant. so the learned advocate pleaded for measurement & demarcation of land mentioned in schedule. If dispossession is found then wants restoration of land.

Learned advocate of opposite parties has not submitted any written statement but has agreed for measurement of disputed land. so then DCLR had directed learned advocate commissioner sri P.C. Maharaj on 02.07.2014 to measure the land who submitted report on 03.03.2015. He has reported that applicant has shortage of an area comprising 585 sq kurry. However, this measurement report has been vehemently opposed by opposite party and equally counter argument has been given by applicant.


However, after looking the documents it is found that an order dated 16.07.2015 has been passed by then DCLR on measurement report submitted by survey knowing Advocate commissioner after listioning both the parties. So as per order, it is found that only opposite party one namely Nagendra singh has opposed the measurement report but his objections

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has been rejected by then DCLR. Since, then DCLR has already approved the measurement report, so no contradictory order can be passed as demanded by opposite party. Thus this court directs both the parties to live as per measurement report which means opposite parties should restore the land of applicant which has been encroached or dispossessed by them as mentioned in measurement report and shown in sketch map. Further, measurement report, sketch map, Field Book etc. submitted by learned survey knowing Advocate Commissioner will be part of the order.

Dictated and corrected

  
Land Reforms Deputy Collector  
Arwal

  
Land Reforms Deputy Collector  
Arwal.

