

आदेश की क्रम
संख्या और तारीख

आदेश और पदाधिकारी का हस्ताक्षर

आदेश पर की
कारवाई के बारे
टिप्पणी तारीख
साथ

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

Case No. 115 / 2015-16

Lakhu Sao- applicant

Vrs.

Raj Deo Singh- opposite parties.

Present- Rakesh Kumar, DCLR

Learned Advocate of applicant

1. Sri Lallan Kumar

2. Md. Afsar Hamid.

Learned Advocate of opposite parties

1. Sri. Ram Vinay Singh.

2. Sri. Dig Vijay Narain Singh.

ORDER

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

Schedule

Khata	Khesra	Rakwa	Boundary
38/111	1183/612	48 dismal me Uttar Taraf Bich me 50 feet Lamba & 10 feet chaura	N- Raj deo Singh & Rajan Dhari Singh. S- Shashi Bhushan Singh & Faridan Mian. E- Late Jadagir Sao. W- Parikha Singh & Others.

Mauza - Teri, P.S.- Mehandiya, Anchal-Kaler, Dist- Arwal

The learned advocate of applicant submitted that applicant his brother & his father has purchased the land mentioned in schedule in different date through registered kewala from sujindra kumar s/o Late kailash singh and mosmat Devmati Devi w/o Late kailash singh and accordingly they came into possession of said land. There after land was mutated & they are paying rent to govt. Learned advocate further submitted that opposite

30-05-2017

(Signature)

party had tried to erect structure in disputed land then applicant informed about it to police station and as per police officials direction they have filed the case. learned advocate also informed that proceeding U/S 144 was also initiated by them and accordingly report has been sought from concerning S.H.O. from the court. Learned advocate while arguing in court said that opposite party is trying to change the nature of land & sought injunction in construction of work being done by opposite party. Further, learned advocate wanted demarcation of his land by directing to measure the land and if found dispossessed then that area should be restored to applicant.

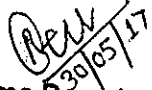
Learned advocate of opposite party submitted that land mentioned in schedule is his purchased land and he has been peacefully occupying it since last 36-37 yrs. Learned advocate said that in area of 10 dismal in mentioned land, opposite party has constructed his house and he is residing with family for last 15 yrs. Further, machines for mills exists in that area. Learned advocate claimed that opposite party has never encroached the land of applicant and it can be enquired and alleged that applicant has filed the case for harassing the opposite party. So he pleaded for rejection of the case.

After hearing both the parties learned advocate commissioner sri Vashishtha Narain was asked to measure the disputed land. He has submitted the measurement report on 16.03.2017. The learned advocate of applicant wanted confirmation of report where as opposite parties didn't turn up in court to express their views in relation to report, though

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sufficient opportunities was given to them. However, after perusing the report, it is found that opposite parties has dispossessed the applicant from an area of 1012 square kurry which is equal to 01 desimal of land. The learned advocate reports that on this area opposite parties has constructed the wall of his house. So here it can be said that a direction for demolition of wall of any building can not be given as it is beyond jurisdiction of this court. So as per measurement report, applicant may seek remedy in any other competent court.

Dictated and corrected


Land Reforms Deputy Collector
Arwal


Land Reforms Deputy Collector
Arwal.

