

आदेश की क्रम संख्या और तारीख	आदेश और पदाधिकारी का हस्ताक्षर	आदेश पर की गई कारवाई के बारे में टिप्पणी तारीख के साथ								
30-08-2017	<p align="center">In The Court Of: Land Reforms Deputy Collector, Arwal. <u>Case No. 44/ 2016-17</u> Raj Deo Chy- applicant Vrs. Chandra Bhan Yadav- opposite parties Present- Rakesh Kumar, DCLR <u>Learned Advocate of applicant</u> 1. Sri. Arun Kumar. <u>Learned Advocate of opposite party.</u> 1. Sri. Ram Uday Upadhyay. 2. Sri. Satish Chandra 'Jyoti'.</p> <p align="center"><u>ORDER</u></p> <p>Both the parties appeared at the time of hearing. The present case is related to</p> <p align="center">Schedule</p> <table border="1" data-bbox="264 1064 1252 1415"> <thead> <tr> <th>Khata</th> <th>Plot</th> <th>Rakwa</th> <th>Boundary</th> </tr> </thead> <tbody> <tr> <td>144/40</td> <td>512/413</td> <td>out of 23 desimals, (25 feet x 4$\frac{1}{2}$ feet) from Janib 'Purab' se 'Paschim'.</td> <td>N-Ram Pyare Chy. S-Sudarshan Mishtri. E- Chandra Bhan Yadav. W-Raj Deo Chy.</td> </tr> </tbody> </table> <p>Mauza-Ibrahimpur, P.S.-Kinjar, Anchal-Kurtha, Dist-Arwal. Learned advocate of applicant submitted that disputed khata & khesra comprising an area of 23 desimals are applicant's ancestral property and its demand exists in name of applicant's father namely Late Hazari Chy and its rent receipts has been issued till 2016-2017. Learned advocate further submitted that opposite parties tried to erect wall on his land and it seems that op wants to construct building in applicant's area comprising 25 feet x 4$\frac{1}{2}$ feet. Learned advocate stated that</p>	Khata	Plot	Rakwa	Boundary	144/40	512/413	out of 23 desimals, (25 feet x 4 $\frac{1}{2}$ feet) from Janib 'Purab' se 'Paschim'.	N-Ram Pyare Chy. S-Sudarshan Mishtri. E- Chandra Bhan Yadav. W-Raj Deo Chy.	
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applicant informed S.H.O. Kinjar who forwarded his application to Gram Kutchhary Ibrahimpur, the sarpanch of said kutchhary gave notice to op for injunction on construction work but in vein. So applicant filed this case in this court for measurement & pillaring of applicant's land. So learned advocate pleaded for relief as per plaint.

The learned advocate of opposite party submitted that op has purchased an area of 3.75 desimals in name of his wife Lalti Devi in disputed khata & khesra and on that land, two storied building & a shop exists prior to filing of this case. So learned advocate stated that op has constructed building on his purchased land and he has not grabbed the land of applicant. So learned advocate pleaded for dismissal of the case.

Heard the learned advocate of both the parties & perused the documents available on record. After looking the documents it seems that op's have constructed the house. However, for satisfaction of applicant it is necessary to get the measurement report. So circle officer kurtha is directed to get the disputed land measured, so that facts related to land comes to his court. If it will be feasible to restore the dispossessed land of applicant then it is to be ordered by circle officer kurtha other wise applicant may be directed to seek remedy in any other competent court.

Dictated and corrected


Land Reforms Deputy Collector
Arwal


Land Reforms Deputy Collector
Arwal.