

आदेश की क्रम संख्या और तारीख	आदेश और पदाधिकारी का हस्ताक्षर	आदेश पर की गई कारवाई के बारे में टिप्पणी तारीख के साथ								
26-07-2017	<p>In The Court Of: Land Reforms Deputy Collector, Arwal. <u>Case No. 36/ 2016-17</u> Shiv Shanker Singh- applicant Vrs. Bhagwan Singh- opposite parties Present- Rakesh Kumar, DCLR <u>Learned Advocate of applicant</u> 1. Sri. Shiv Shanker Singh. (Applicant) <u>Learned Advocate of opposite party.</u> 1. Sri. Shailesh Kumar.</p> <p style="text-align: center;"><u>ORDER</u></p> <p>Both the parties appeared and present case is related to Schedule</p> <table border="1" data-bbox="280 920 1270 1200"> <thead> <tr> <th>Khata</th> <th>Plot</th> <th>Rakwa A- D</th> <th>Boundary</th> </tr> </thead> <tbody> <tr> <td>79</td> <td>729</td> <td>0-12$\frac{1}{4}$</td> <td>N-Sidh Nath Singh. S-Sidh Nath Singh. E-Aditya Singh. W-Jamuna Mahto.</td> </tr> </tbody> </table> <p>Mauza-Arwal Sipah, Anchal+PS+ Dist-Arwal.</p> <p>The applicant namely Shiv Shanker Singh s/o Late Tulsı Singh submitted on behalf of himself as well as on behalf of Binod Singh s/o Late Chandrama Singh that land mentioned in schedule was purchased by them through kewala dated 13.10.2015 and since then they are in peaceful possession of the land, accordingly demand was also created in their name. The applicant said that scheduled land was cultivated by them but he alleged that opposite parties namely Bhagwan Singh s/o Jangi Singh (op-01) & Baiju Singh s/o Late Jamuna</p>	Khata	Plot	Rakwa A- D	Boundary	79	729	0-12 $\frac{1}{4}$	N-Sidh Nath Singh. S-Sidh Nath Singh. E-Aditya Singh. W-Jamuna Mahto.	
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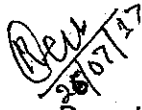
Singh (op-02) broke the ridge. He informed that opposite parties had also purchased the land in disputed khata & plot from lineage of vendor of applicant but plot of applicant is separate from them. He also informed that in his kewala, southern boundary has been by mistake wrongly mentioned and while arguing in court, he alleged that opposite parties has wrongly submitted that a case related to disputed land has been filed in civil court, so that proceeding of this court can be stopped. The applicant stated that opposite parties should give proof to prove their claim but their advocate is reluctant and even didn't receive his reply and is continuously absent from this court. so he pleaded for measurement, demarcation & pillaring of land mentioned in schedule by Govt Amin. The learned advocate of opposite party has given an application and has mentioned that T.S. No-97/16 has been filed in civil court, Arwal on behalf of Shakuntala Devi w/o Bhagwan Singh and it is related to disputed land. So learned advocate pleaded for dropping this case.

Heard the applicant and read the view of op. The applicant has submitted kewala & revenue receipt as well as order of learned Sub-Judge-1st in T.S. No-97/2016 where as opposite parties has submitted photo copy of plaint of T.S. No-97/16. After looking these documents it seems that claim of op that a case No-97/2016 is proceeding in civil court has no merit as

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in that case Judgement has been passed by learned sub Judge-01 Arwal. The Title suit filed by op has been rejected as op didn't deposit required fee and remained continuously absent from civil court. So in such a situation, it seems that claim of applicant is correct, so the purchased land as mentioned in schedule can be demarcated in favour of applicant. So applicant is directed to approach circle office, Arwal for further necessary action at spot.

Dictated and corrected


26/07/17

Land Reforms Deputy Collector
Arwal


26/07/17

Land Reforms Deputy Collector
Arwal.

