

आदेश की क्रम संख्या और तारीख	आदेश और पदाधिकारी का हस्ताक्षर	आदेश पर की गई कारवाई के बारे में टिप्पणी तारीख के साथ
28-07-2017	<p><b><u>In The Court Of: Land Reforms Deputy Collector, Arwal.</u></b>  <b>Mutation Appeal No – 04/2016-2017</b>  <b>Ram Chandra Singh @ Kera Singh &amp; others –Appellant</b>  <b>Vrs</b>  <b>Ram Shish Singh &amp; others- Defendent.</b>  <b>Present- Rakesh Kumar, DCLR</b>  <b><u>Learned Advocate of appellant.</u></b>  <b>1. Sri. Krishna Kant Kumar.</b></p> <p style="text-align: center;"><b><u>ORDER</u></b></p> <p>The learned advocate of appellant said that both the parties are from joint family and their ancestor was Late Ramdhyan Singh who had two wives and from first wife was Late Shaligram Singh and from second wife are Ramashish Singh H/o Surya mani Devi and Dhan Raj Singh (issueless) appellant No.03. Further, late Shaligram Singh had two sons namely Ramchandra Singh @ Kera Singh (appellant No.01) &amp; Bhagwar Singh (appellant No. 02). However, Ramashish Singh (op-01) has two sons namely Anil Kumar (op-02) and Sunil Kumar (op-03). Learned advocate informed that appellant has filed the case against order of circle officer, Karpi dated 18.06.2016 which they had brought for modification of case No. 25/16-17 of circle office Karpi. Learned advocate informed that partition suit No. 46/1976 was filed by Ram Dhyan Singh in civil court and learned sub-Judge Jehanabad had passed the order based on joint compromise. He also stated that as per preliminary decree in suit No.46/1976 an area of one acre 20</p>	

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desimal of agricultural land was allotted to Ramdhyan Singh & his wife Maheshwari Devi but after the death of couple, allotted share was to dissolve to their heir in equal proportion. So after demise of Ramdhyan Singh & his wife their allotted share in Mauza-Karpi was divided in three equal share through 'Panchnama' dated 02.11.2014. However, learned advocate alleged that while mutating the land in favour of respondents of this case, proper calculation of area of land was not done as per joint compromise petition, So respondents name was recorded in more than share of their land. So they are paying rent & getting receipts over share of appellants. Learned advocate of appellant has also mentioned about sale of land by all heirs of Ramdhyan Singh in 1985, sale of land by Ram Chandra Singh & Bhagwat Singh to Dhanraj Singh & Ramashish Singh comprising an area of 23 desimals, acquiring of 96.25 desimals by Dhanraj Singh at Belkhari as well as about "stridhan" of Rajmati Singh w/o Shaligram Singh and its distribution between her two sons. Learned advocate finally mentioned that in light of P.S. No-46/1976 & Panchnama dated 02.11.2014, five schedules has been prepared and it includes all purchased & sold land by concerning parties. The schedule No-01 is of Ramchandra Singh @ Kera Singh, Schedule No-02- Bhagwat Singh, schedule-03-Dhan Raj Singh, schedule-04- Ramashish Singh & schedule-05- Surymani Devi W/o Ramashish Singh. So learned advocate pleaded for mutation of land as per

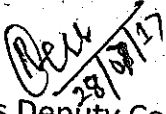
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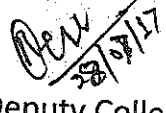
schedule, so that correction in mutation done in favour of respondents can be done.

However, defendants did not turn up in court, inspite of sending notices through speed posts, so their view could not be known to this court.

So based on argument of appellant, circle officer karpi is directed to look into schedule attached in plaint of this case as appellant claims to have prepared in light of documents of honourable civil court & panchnama. Once, veracity of documents are established then circle officer is directed to substract the excess land mutated in name of respondents and its should be added in favour of appellants and accordingly mutation order should be passed in favour appellants & rent receipt should be issued to them.

Dictated and corrected

  
Land Reforms Deputy Collector  
Arwal

  
Land Reforms Deputy Collector  
Arwal.

