

आदेश की क्रम
संख्या और तारीख

आदेश और पदाधिकारी का हस्ताक्षर

आदेश पर की गई
कारवाई के बारे में
टिप्पणी तारीख के
साथ

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

Case No. 09/ 2017-18

Rajendra Ram- applicant

Vrs.

Krishna Ram & others-- opposite parties

Present- Rakesh Kumar, DCLR

Learned Advocate of applicant

1. Sri . Ram Govind Singh.

Learned Advocate of opposite.

1. Md. Afsar Hamid.

2. Sri. Ramesh Prasad Singh.

ORDER

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

Schedule

Khata	Plot	Rakwa A- D	Kita	Boundary
581	3721	0-21 $\frac{3}{4}$ (out of this Janib Dakshin Taraf 6 $\frac{1}{4}$ desimal par Vivad i.e. dispute)	Tara	N-Rajpura Siman. S-Krishna Ram & Singhasan Ram S/O Narain Ram. E-Bachchan Ram Kharidar. W-Nanhak Ram.

Mauza+PS+Anchal-kaler, Dist-Arwal.

The learned advocate of applicant submitted that land mentioned in schedule is purchased land of applicant's father namely Ram Bachchan Ram through kewala dated 28.06.1976. Learned advocate said that applicant is in peaceful possession of said land but recently applicant is

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being dispossessed by an area of $6\frac{1}{4}$ desimal by op from Southern side, infact op's wants to erect wall on his land, So there is situation of blood shed at spot. Learned advocate while arguing in court said that after purchase of land, applicant was in possession of disputed land. So he pleaded for measurement & demarcation of his land.


Learned advocate of opposite party submitted that vendor of the parties were Akhal Deo Singh and he had registered the land to ancestor of op namely Ram Narain Kahar & applicants father Ram Bachchan Ram, Nahku Ram & others on same day i.e. 28.06.1976. He informed that as per kewala both the parties had received $21\frac{3}{4}$ desimals area of land but practically at spot each one can have $17\frac{1}{4}$ desimals of land only. He alleged that applicant purchased the land without measurement, So for this fault vendor is responsible not the opposite parties. Learned advocate also submitted that proceeding U/S 145 of crpc was initiated by applicant's father in case No-466/97 of SDM court, Arwal and in that court compromise petition was filed and both the parties had agreed to have $17\frac{1}{4}$ desimals each one instead of $21\frac{3}{4}$ desimals mentioned in kewala. So learned advocate said that in light of that compromise, applicant has unnecessarily filed the case in this court. Learned advocate also informed that applicant has already sold an area of $3\frac{1}{2}$ katthas & 02 katthas respectively through two different kewalas to Akhalrani Devi as per compromise document of having $17\frac{1}{4}$ desimals of

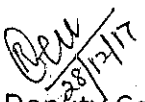
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land, So how applicant can not claim more than that area. Learned advocate said that matter involved in this case is related to title and not to measurement & demarcation. Learned advocate vehemently opposed the relief sought by applicant & pleaded for dismissal of the case.

Heard the learned advocates & perused the documents available on record. Applicant has submitted kewala & revenue receipts where as opposite parties has submitted order of SDM court, Arwal dated 28.05.1998 based on comprise petition of concerning parties. So by looking this document, it seems that applicant's father had agreed to have an area of $17\frac{1}{4}$ desimals of land where as opposite parties of that case, Raj Nath Ram agreed for $06\frac{1}{4}$ desimals, Kael Ram $17\frac{1}{4}$ desimals. So in this situation this court can not grant any relief to applicant.

Dictated and corrected


Land Reforms Deputy Collector
Arwal


Land Reforms Deputy Collector
Arwal.

