

आदेश की क्रम
संख्या और तारीख

आदेश और पदाधिकारी का हस्ताक्षर

आदेश पर को
दस्तावेज में
दिनांक 05/05/2018

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

Case No. 30/ 2017-18

Ram Kumar Singh- applicant

Vrs.

Pawan Kumar Singh & others-- opposite parties

Present- Rakesh Kumar, DCLR

Learned Advocate of applicant

1. Sri. Devendra Mishra.

Learned Advocate of opposite party.

1. Sri. Manoj Kumar.

2. Sri. Ram Vijay Kumar.

3. Sri. Janeshwar Prasad Singh.

4. Sri. Sanjay Kumar.

ORDER

Both the parties appeared and present case is related to
Schedule

Mauza	Khata	Khesra	Area A-D	Boundary
Ibrahimpur Sakri,	68	1136	0.02 $\frac{3}{4}$	N-Saturnjay Singh. S-Amrendar Singh. E- Sampati Singh. W-Tribhuhar Singh.
	69	1074	0.08	N-Vishwa Nath Singh. S- Amrendra Singh. E- Vishwa Nath Singh. W-Pawan Kumar Singh.
	96	1147	0.09 $\frac{1}{2}$	N-Nagina Rajak & Rajendra Batha. S-Abhay Singh. E-Sampat Singh. W-Niz.
	208	1148	0.02 $\frac{1}{2}$	N-Ram Iqubar Yadav. S-Abhay Singh.

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				E-Pawan Kumar Singh. W-Sampat Singh.
	98	846	$0.27\frac{1}{4}$	N-Sampat Singh. S-Ashok Singh & Vijay Singh. E-Sunil Sao. W-N.H. 98 Road.
	02	704	0.04	N-Tribhuvan Singh. S-Behari Ram. E-Ashok Singh. W-Bhushan Singh.
	109	855	0.03	N-Bhushan Singh. S-Amrendra Singh. E-Anirudh Singh. W-N.H. 98 Road.
	97	856	0.08	N-Late Rajandhari Singh. S-Amrendra Singh. E-Sampat Singh. W-Abhay Singh.
SonBarsa	19	273	0.03	N-Bhushan Singh. S-Putun Ram. E-Uaday Singh. W-Nahar.
Konika	133	433	$0.16\frac{3}{4}$	N-Nirmal Yadav. S- Tribhuvan Singh.
		431	$0.08\frac{3}{4}$	E-Braj Kishor Singh. W-Sampati Singh.
	176	1272	$0.03\frac{1}{2}$	N-Satrunjay Singh. S-Tribhuvan Singh. E-Pawan Kumar Singh. W-Sampat Singh.
	148	429	$0.06\frac{1}{2}$	N- Tribhuvan Singh. S-Raj Kumar Singh. E- Satruunjay Singh. W-Bhushan Singh.

Mauza-Ibrahimpur Sakri, Konika, Sonbarsa, PS+Anchal+Dist-Arwal

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Learned advocate of applicant submitted that applicant and opposite parties namely Pawan Kumar Singh (op-01), Bhushan Singh (op-02) and Sampat Singh (op-03) are own brothers and they are sons of Late Jwala Singh. He said that all four brothers has partitioned their joint family property in 2009 except the Homestead land where they have their houses. He also informed that as per partitioned property land has been mutated and accordingly demand has been separated on name of share Holders. Learned advocate said that applicant feels that other three brothers are in possession of more than their share, so he tried to get the whole area measured & demarcated by private Amin. He alleged that op's opposed this act and threatened to implicate his son in false cases and also warned that they may capture other agricultural land of applicant. So learned advocate pleaded for measurement.

Learned advocate of op-01 & 03 has replied that if applicant feels that he is in possession of lesser area than other brothers then whole parental property can be measured & demarcated as all brothers has equal share in joint property.

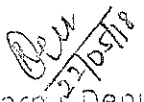
However, learned advocate of Bhushan Singh (op-02) claimed that whole of parental property including Homestead area had been partioned & separated in year 2009. He said that as per that share, all concerning parties has constructed their houses. He also informed that in Mauza-Konica, Khata-133, Plot-433,431 was sold to Shanti Devi W/o Khush Lal Rajak, sakin-sakri through kewala No-


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1938 dated 20 may 2016. However, he has not mentioned the name of vendor of Shanti Devi. Finally, learned advocate is opposed to measurement.

So after hearing, perused the documents available on record. Applicant has submitted revenue receipt. LPC and an information received from circle officer Arwal through letter No-1047 dated 31.10.2017 under RTI, in which area of demand which was in name of Late Jwala Singh is attached. So over all, it is found that applicant & his two brothers namely Pawan Kumar Singh & Sampat Singh are ready for measurement. However, Bhushan Singh (op-02) is opposed to relief sought by applicant though no valid reason has been given by him. However, his claim regarding sale of 05 kachhas of land can be compensated as per rule & norms, However, in this case verification of documents are required to be done at circle office. So applicant is directed to approach circle office, Arwal for measurement & demarcation of mentioned area of land in schedule of plaint. However, if circle officer, Arwal feels that for measurement any survey knowing advocate commissioner is required then it can ask is writing for their help in measurement or circle officer may appoint circle amin for this purpose.

Dictated and corrected


Land Reforms Deputy Collector
Arwal


Land Reforms Deputy Collector
Arwal