

आदेश की क्रम संख्या और तारीख	आदेश और पदाधिकारी का हस्ताक्षर	आदेश पर की गई कारवाई के बारे में टिप्पणी तारीख के साथ										
23-10-2018	<p style="text-align: center;">In The Court Of: Land Reforms Deputy Collector, Arwal. <u>Raiyati Karan Case No. 05/ 2018-19</u> Maheshwar Singh - Applicant. Vrs. Anchaladhikari Karpi – Defendant Present- Rakesh Kumar, DCLR <u>Learned Advocate of applicant</u> 1. Sri. Vinod Kumar. <u>Learned Advocate of Defendant.</u> Circle Officer, Karpi.</p> <p style="text-align: center;"><u>ORDER</u></p> <p>Both the parties appeared at the time of hearing. The present case is related to</p> <p style="text-align: center;">Schedule</p> <table border="1" data-bbox="336 1066 1326 1357"> <thead> <tr> <th>Jamabandi No</th> <th>Khata</th> <th>Plot</th> <th>Rakwa A-D</th> <th>Boundary</th> </tr> </thead> <tbody> <tr> <td>116/ 11</td> <td>112</td> <td>727</td> <td>0-70$\frac{1}{2}$</td> <td>N-Leela Prasad Singh. S-Quayum Ansari. E-Siman Barheta. W-Ganauri Paswan.</td> </tr> </tbody> </table> <p style="text-align: center;">Mauza–Nagla, PS-Kinjar, Anchal-Karpi, Dist-Arwal.</p> <p>The learned advocate of applicant submitted that land mentioned in schedule is "Bakasht-Malik". Its khatian is in name of Mosmat Bibi Atantulya kuwra alias Bibi Bhanu khewat and its area comprises of 04 Acres 82 desimals. Learned advocate informed that Shiv Nath Singh S/O Nandu Singh of Mauza-Nagla, the ancestor of applicant had purchased an area of 01 Acre 35 desimals from said plot of land. He further informed that Late Shiv Nath Singh had one son namely Late Ram</p>	Jamabandi No	Khata	Plot	Rakwa A-D	Boundary	116/ 11	112	727	0-70 $\frac{1}{2}$	N-Leela Prasad Singh. S-Quayum Ansari. E-Siman Barheta. W-Ganauri Paswan.	
Jamabandi No	Khata	Plot	Rakwa A-D	Boundary								
116/ 11	112	727	0-70 $\frac{1}{2}$	N-Leela Prasad Singh. S-Quayum Ansari. E-Siman Barheta. W-Ganauri Paswan.								

Bell

Prasad Singh and he in turn has two sons namely Maheshwar Singh & Leela Prasad Singh. However, after partition between two brothers land mentioned in schedule came into favour of applicant which is to be acquired under Punpun main canal & Pun-Pun 'Vaitarni' Barage Project. Learned advocate said that Jamabandi No-116/11 exists in name of applicant and has upto date rent receipt with him. Further, circle officer karpi has issued Land Possession Certificate (LPC) to applicant vide letter No-155 dated 23.08.2017 which includes land mentioned in schedule of this case. He stated that scheduled land is in peaceful possession of applicant and claimed that this land is mentioned in departmental letter issued for Acquisition, so he pleaded for its "Raiyatikaran" in favour of applicant, so that applicant gets due compensation in lieu of said land.

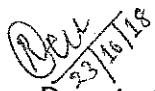
The Circle Officer Karpi has submitted written statement vide his letter No-627 dated 13.09.2018. So as per this letter, land mentioned in schedule is mentioned "Bakasht Malik" survey khatiyon" and this land has come to applicant through kewala No-8025 dated 21.07.43 and its Jamabandi No-116/11 is in name of applicants and its rent receipts has been issued from 1976-1977 to 2018-2019. Learned Circle Officer Karpi has confirmed that LPC has been issued to applicant vide letter No-155 dated 23.08.2017. Further, Circle Officer Karpi has quoted letter No-357/Aurangabad dated 02.07.2016 and letter No-1436R dated 08.12.2017 of special land Acquisition officer, sone Yojna and states that land of applicant comes under 2121 Baraj Project and it is mentioned in list attached to that letter. So circle officer karpi doesn't have any

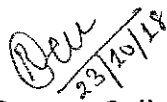
Beu

objection if "Raiyatikaran" of land mentioned in schedule is done by this court. He also recommends for paying compensation to this 'Raiyat' declared under "Bihar Raiyati Bhumi Leez Niti".

Heard the learned advocate of applicant & read the written statement of circle officer karpi and also perused the documents available on record. Applicants has submitted photocopies of khatiyan, kewalas, LPC & rent receipts. So after looking these documents, it seems that applicants has right to be leagal raiyat of land mentioned in schedule. So this court allows "Raiyatkaran" in favour of applicants. However, compensation payable to applicant will as per area acquired by concern department not of whole area mentioned in schedule. Further, circle officer karpi is being directed to maintain records as per departmental letter No-14/DLA (Leez) Niti-69/2014-783/Rajaswa dated 16 .06 . 2016 & memo No-448 dated 23.06.2016 of Zila Rajaswa Sakha Arwal.

Dictated and corrected


Land Reforms Deputy Collector
Arwal


Land Reforms Deputy Collector
Arwal.