

आदेश की क्रम संख्या और तारीख	आदेश और पदाधिकारी का हस्ताक्षर	आदेश पर की गई कारवाई के बारे में टिप्पणी तारीख के साथ																				
7-12-2018	<p align="center"><u>In The Court Of: Land Reforms Deputy Collector, Arwal.</u> Mutation Case No – 11/2018-2019 Parma Nand Mahto–Appellant Vrs Arvind Kumar Ojha & others- OP. Present- Rakesh Kumar, DCLR <u>Learned Advocate of appellant.</u> 1. Sri. Arun Kumar. 2. Md. Afsar Hamid. <u>Learned Advocate of Defendent.</u> 1. Sri. Gauri Shanker Mishra. <u>ORDER</u> Both the parties appeared at the time of hearing. The present case is related to</p> <table border="1" data-bbox="375 929 1316 1153"> <thead> <tr> <th colspan="4" data-bbox="774 929 917 963">Schedule</th> </tr> <tr> <th data-bbox="375 963 542 1008">Khata</th> <th data-bbox="542 963 710 1008">Plot</th> <th data-bbox="710 963 925 1008">Rakwa</th> <th data-bbox="925 963 1316 1008">Boundary.</th> </tr> </thead> <tbody> <tr> <td data-bbox="375 1008 542 1052">03</td> <td data-bbox="542 1008 710 1052">51</td> <td data-bbox="710 1008 925 1052">02-02</td> <td data-bbox="925 1008 1316 1052"></td> </tr> <tr> <td data-bbox="375 1052 542 1097">03</td> <td data-bbox="542 1052 710 1097">52</td> <td data-bbox="710 1052 925 1097">01-98</td> <td data-bbox="925 1052 1316 1097">-</td> </tr> <tr> <td data-bbox="375 1097 542 1142"></td> <td data-bbox="542 1097 710 1142">Total</td> <td data-bbox="710 1097 925 1142">04-00</td> <td data-bbox="925 1097 1316 1142"></td> </tr> </tbody> </table> <p data-bbox="375 1142 1316 1198">Mauza-Baidrabad, Tola-Ojha Bigha, PS+ Anchal+ Dist-Arwal. Learned advocate of appellant submitted that this case has been filed against the order of learned circle officer, Arwal dated 19.05.2018 in mutation case No-345A/2012-2013 in which Respondent No-01 was petitioner and Appellant was opposite party. Learned advocate of appellant has narrated the story from report of karamachari to filing case in court of LRDC and then after remanding it to circle officer, Arwal and there after order of circle officer, Arwal. Learned</p>	Schedule				Khata	Plot	Rakwa	Boundary.	03	51	02-02		03	52	01-98	-		Total	04-00		
Schedule																						
Khata	Plot	Rakwa	Boundary.																			
03	51	02-02																				
03	52	01-98	-																			
	Total	04-00																				

(Signature)

Rev

advocate of appellant has alleged that circle officer has passed the order based on mere conjectures and surmises as documents produced by Arvind Kumar Ojha, defendant of this case is not legal or genuine and circle officer has wrong opinion about the appellant Parma Nand Singh that he doesn't have any right, title & possession in land mentioned in schedule. Learned advocate also alleged that circle officer didn't comply with the direction given by this court in mutation Appeal case No-01/2017-2018 nor followed the rules prescribed by Revenue dept in Mutation Act. So learned advocate pleaded to set aside the order of circle officer Arwal dated 19.05.2018 on the said land.

Learned advocate of opposite parties submitted the statements given to this court in mutation Appeal case No-01/2017-2018 and claimed that disputed land belongs to defendants of this case. Further, he said that Title suit No-320/13 Parma Nand Singh vrs Padarath Choudhary & others were already proceeding in court of learned Sub Judge Arwal and in between appellant of this case had got the disputed land mutated in his favour which has been cancelled and has been restored in name of defendant in light of order of this court in mutation case No-01/2017-2018. He also quoted Revenue Dept, Govt of Bihar's letter No-106/77-9599

dated 23.12.71 which restricts mutation of any land in case if any title is proceeding in civil court. So learned advocate argued that speaking order has been passed by circle officer after verification of documents and after being satisfied that defendant of this case has possession over the land mentioned in schedule. So he pleaded for rejection of the claim of appellant & dismissal of the case.

Heard the learned advocates of both the parties & perused the documents available on record. After looking the documents of both the parties & LCR of circle office Arwal, it is found that order had been already passed by this court in mutation Appeal No-01/2017-2018 after hearing both the parties. So appellant has unnecessarily reappealed in this court in relation to land mentioned in schedule. So this court can not give any relief to appellant.

Dictated and corrected

 27/12/18

Land Reforms Deputy Collector
Arwal

 27/12/18

Land Reforms Deputy Collector
Arwal.