

**In the Court of the Deputy Commissioner –cum- District
Magistrate, Bokaro**

Mutation Revision No—35/2023-24

Manati Devi

Vs

1. State of Jharkhand
2. Naresh Prasad

- ORDER -

29.04.2025 This revision case has been filed by the revisionist Manati Devi, wife of Late Aditya Prasad Singh resident of Bihar Colony Chas, P.O & P.S. Chas Dist.-Bokaro aggrieved with the order of Land Reform Deputy Collector, Chas in Mutation Case No.- 02/2022-23 Naresh Prasad, S/o Late Bane Singh, Bihar Colony, near Shitla Mandir, P.O & P.S. Chas Dist.-Bokaro Vs Manati Devi on dtated -12.06.2023. The schedule of land involved in this case is Mauza – Chas, Khata No.-741 bearing plot no. – 7698 an area of 08 decimal.

Both the parties have been given notices.

1. The revisionist has submitted that the land of Mauza – Chas, Khata No.-741 bearing plot no. – 7698 an area of 08 decimal was purchased by Aditya Prasad Singh from Shiv Shankar

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Shaha through regd. Sale deed no 4455, dated -05.05.1983 after paying own income.

2. That, the husband of 1st party mutated his name in office of Circle Office, Chas through Mutation Case No 731 (iii)/1987-88 and Jamabandi was created vide Jamabandi no 955/18 and paying rent to the State Government.
3. That, the husband of 1st party constructed house and residing there separately and using the purchased land by growing there various seasonal crops. Due to not proper knowledge of mutation law, she could not mutated her name in the Anchal Srista earlier. After death of said Aditya Prasad Singh and later on the 1st party/revisionist has filed application for mutation of the land purchased by her deceased husband Aditya Prasad Singh which was registered as Mutation case no.-2600(iii)/2016-17 and after due enquiry and submission of report the then Circle Officer, Chas has mutate her name and Jamabandi was created vide Jamabandi no 95/97 and since then paying up to date rent to the state govt.
4. That, after death of Aditya Prasad Singh his heirs and successors are in peaceful possession continuously without

any interruption from any corner. But after gap of 6 years the opposite party no 2 Naresh Prasad filed mutation appeal before the court below (Court of DCLR, Chas) against the order passed in Mutation Case no 2600(iii)/2016-17 dated - 06.09.2016 passed by the Circle Officer, Chas vide Mutation appeal Case No.-02/2022-23.

5. That, it has also been submitted by the revisionist that she has submitted her show cause before DCLR, Chas mentioning therein that the appeal filed by the second party before DCLR, Chas is not maintainable as the appeal is time barred as u/s15 of Bihar Tenant Holding (Maintenance of Record) Act 1973 and the appellant/second party has already filed a Original Suit No.-35/2021 before Civil Judge (Sr. Division), Bokaro.

6. That, revisionist completely dissatisfied with the order of the learned DCLR, Court has submitted that the case of appellant /second party is based upon the forged document. The revisionist has also submitted that learned DCLR Chas has not considered the report submitted by CO, Chas on dt.- 28.12.2022 and court below has also not consider the two civil suit no OS No-35/2021 filed before Civil Judge (Sr.

Devision) 1st Bokaro and TS No-397 of 2014 pending before the Civil Judge (Sr. Division), Nawada and Panchnama prepared by the respondent on date 31.05.2008 is collusive, manufactured and forged.

7. The Second party/respondent in this case has submitted a list of document containing family partition in the form of Panchnama dated 31.05.2008 written and prepared between Aditya Singh, Guru Singh, Girja Singh and respondent Naresh Prasad. Second party has also submitted Rent receipts issued in favor of Guru Singh, Naresh Prasad and Girja Singh and also a registered sale deed no 6036 dated-10.10.2017, municipal holding tax receipt, and a letter issued by Electrical Engineer, Electric Supply Sadar Chas Bokaro addressed to Naresh Prasad.
8. On perusal of the record and documents as available in the record it transpires that this matter is a dispute of title between family members and same is yet to be decided by the Civil Court and also it is relevant to mention here that the opposite party Niraj Prasad has filed Original Suit No.- 35/2021 in Civil Court in year 2021 and after filing the Suit


he has also filed a mutation appeal before the DCLR, Chas in year 2022.

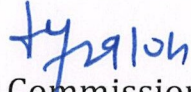
9. On the basis of above facts and circumstances, order of DCLR, Chas passed on dated-12.06.2023 in Mutation Case No.-02/2022-23 is hereby set aside. Both the parties have liberty to approach before the competent Court of civil jurisdiction.

This case is hereby disposed.

It is due to busy schedule of office/law and order work this order is being passed on dt.-29.04.2025.

(Dictated and Corrected)


Deputy Commissioner
-cum-
District Magistrate, Bokaro.


Deputy Commissioner
-cum-
District Magistrate, Bokaro.

Date-29th April 2025

Place - Bokaro

Seal