



उपायुक्त-सह-जिलादण्डाधिकारी का न्यायालय, गिरिडीह।

(Email id- dcourt.grd@gmail.com)

Jamabandi Cancellation Case No.140/2018-19

State vs Etwari Mahto and Others

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ORDER

09.12.24 The case relates to Cancellation of Jamabandi of the following land in Thana- Giridih (M), Thana No.167, Mouza- Simriya, Khata No.6/18, Area-1.95 acres.

Hon'ble High Court of Jharkhand in the order passed in W.P.(C) No.4086 of 2017, dated 30.08.2018 has ordered that the Additional Collector, Giridih, is directed to dispose of the proceeding being Case No. 711/2016-17 initiated under Section 4(h) of the Bihar (Jharkhand) Land Reforms Act, 1950 by passing a reasoned order at the earliest after giving opportunity of hearing to the parties. In Case No.711/2016, Circle Officer Giridih has mentioned that the respondent has not produced any valid revenue document and that field verification has also been done by the Halka Karmchari. Considering the Jamabandi illegal, Circle Officer has

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recommended for its cancellation under Section 4(h) of the Bihar (Jharkhand) Land Reforms Act, 1950 and had forwarded the case record to Land Reforms Deputy Collector, Giridih for sending it to the Competent Authority.

Thereafter Land Reforms Deputy Collector, Giridih in his case record has also recommended that as per provisions of Memo No.2074/Re, dated 13.05.2016 of Department of Revenue, Registration and Land Reforms, Government of Jharkhand and as per recommendations of Circle Officer, Giridih, the Jamabandi of land in question maintained in Register II should be cancelled and forwarded it to Additional Collector, Giridih.

Thereafter as per direction of Hon'ble High Court, after giving due opportunity of hearing to the respondents Badri Mahto and Baldeo Mahto and on account of recommendation of Land Reforms Deputy Collector Giridih, Additional Collector Giridih recommended in his order sheet dated 17.08.2019 that entry of the Illegal Jamabandi of the said land in question in Register II should be cancelled and forwarded it to Deputy Commissioner (Collector), Giridih.

Upon hearing/ perusal of Lower Courts' Records, Orders, documents available, verbal and written arguments of the

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Respondents, arguments submitted by the Ld. G.P., it is seen that the said land in question was given to Lt. Etwari Mahto by ex-landlord by way of Sada-Hukumnama. And that as per respondent Baldeo Mahto, lagaan receipt of the said land has not been issued since 1995 and that there is no structure over the land and is in the form of farm. And that even after giving due opportunity to the respondents they have not produced Return filed (M-Form) of the said land. And that till the date of abolition of zamindari (dated 26.01.1955) rent fixation of the said land was not done by the Collector in prescribed manner. And that entry of the Illegal Jamabandi of the said land in question in Register II should be cancelled.

Thus this Court comes to the conclusion that, as per Section 4(h) of The Bihar Land Reforms Act, 1950 and as per provisions of Letter No.914/Rev., Dated 09.12.1998 of Department of Revenue and Land Reforms Department, Government of Bihar and Letter No.2074/Rev., Dated 13.05.16 of Department of Revenue, Registration and Land Reforms Department, Government of Jharkhand, Jamabandi of the Respondents should be cancelled and thus recommendation for cancellation

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of Jamabandi of the said land and for transfer of the said land to the Government is forwarded to the Government of Jharkhand for Confirmation through Ld. Divisional Commissioner, North Chotanagpur Division.

Let a copy of this order be provided to both parties and all concerned. Due to busy schedule in law and order and other administrative work this order is passed today.

Dictated and Corrected by me .

gj-09/12/24
Deputy Commissioner
cum
District Magistrate,
Giridih

gj-09/12/24
Deputy Commissioner
cum
District Magistrate,
Giridih

Memo No.975....., Date09/12/2024

Copy to: Circle Officer, Giridih, Land Reforms Deputy Collector, Giridih and Additional Collector, Giridih for information and necessary action.

gj-09/12/24
Deputy Commissioner
cum
District Magistrate,
Giridih

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Deputy Commissioner
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District Magistrate,
Giridih