



उपायुक्त-सह-जिला दण्डाधिकारी का न्यायालय, गिरिडीह।

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

Mutation Revision Case No. 07/2022-23

Md. Siraj and Others-vs-Ajay Mahto and Others

1

2

3

ORDER

28.11.24

This case has been filed as Mutation Revision Case No. 07/2022-23, against the order of Land Reforms Deputy Collector (LRDC), Giridih in Miscellaneous Appeal Case No.06/2017: Ajay Mahto and Others vs Md. Siraj and Others, dated 25.08.2022. The land in question pertains to Mauza- Dandidih, Khata No.45, Plot No.1392, Area 11.75 decimals.

The Ld. Advocate of the Revisionist in this case Md. Siraj and Others has given his arguments and has given various details in the revision application by virtue of which the revisionist claims that he is the rightful owner of the said plot of land. He has also submitted in his written argument mentioning among other points, that if there is conflict in the right, title of both the parties then the better course is to refer it to Civil Court for adjudication.

The Ld. Advocate of the Opposite Party in this case Ajay Mahto and Others has given his arguments and has given written statement mentioning among other points, that they are the rightful owners of the said plot of land. And that they are in possession of the said plot of land. And that they have been paying Malguzari Rent regularly.

१५.

This Court observes that in Mutation Appeal Case No.06/2017, Ajay Mahto and Others vs Md. Siraj and Others, Land Reforms Deputy Collector, Giridih has stated in his order that Dohri (Double) Jamabandi is running due to the reason that jamabandi of opposite parties in this present case Ajay Mahto and Others were already running, despite that Circle Officer, Giridih opened new jamabandi in the name of revisionist in this present case Md. Siraj and Others.

This Court also observes that in a case CWP No.16338 of 2011: 'Shamsher Singh vs Commissioner' in Punjab-Haryana High Court, the Hon'ble Court in it's order dated 02.09.2011 mentions that *"if mutation is contested and disputed by the parties claiming their respective titles, revenue officer should direct the parties to approach the Civil Court to establish their respective titles and meanwhile revenue officer should not proceed with the mutation and should wait for the outcome of the decision in the civil suit. Revenue Officer is duty bound to carry out mutation and entries in the revenue record as per the ultimate decision in the civil suit between the parties"*.

Heard the Ld. GP on various points of submission made by both the parties and on other points available in the case record. On account of the aforementioned and matters mentioned in the LCR of LRDC Giridih and CO Giridih, points and arguments submitted/ given by Ld. Advocates of both parties, opinion of Ld. G.P. and upon perusal/ examination of the various documents available on record, the court comes to the conclusion that the contesting parties should approach the Civil Court to establish their title over the said plot of land, thus this Court orders that this Mutation Revision Case proceedings are dropped and this mutation revision petition stands disposed of.

pf.

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 .

95-28/11/24
Deputy Commissioner
cum
District Magistrate,
Giridih

95-28/11/24
Deputy Commissioner
cum
District Magistrate,
Giridih

Memo No. 923....., Date 28/11/2024

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

95-28/11/24
Deputy Commissioner
cum
District Magistrate,
Giridih

95-28/11/24
Deputy Commissioner
cum
District Magistrate,
Giridih