



उपायुक्त-सह-जिला दण्डाधिकारी का न्यायालय, गिरिडीह।

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

Mutation Revision Case No. 09/2022

Santosh Sonar vs Rameshwar Sonar

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ORDER

08.02.25

This case has been filed as Mutation Revision Case No.09/2022, against the order of Land Reforms Deputy Collector (LRDC), Bagodar Sariya in Mutation Appeal Case No. 03/2019-20, Santosh Sonar vs Rameshwar Sonar and Others, order dated 17.11.2021. The said case was filed as appeal against the order of Circle Officer Sariya in Mutation Case No. 707/R27 2018-19.

The land in question pertains to Mauza- Badki Sariya, Thana No.44, Khata No.117, Plot No.9, total area measuring 0.32 acres in Sariya Circle. LRDC Bagodar Sariya has mentioned in his order that the Appellant Santosh Sonar has mentioned about various sale deeds, rent receipts and about his dwelling in house built over the land. And that he has mentioned about a Deewani Case (Title Suit) No.40/2017 pending in Civil Court. And that Opposite Party Rameshwar Sonar has mentioned about a sale deed and Malgujari Receipt and about his dwelling in house along with well and deep boring over the said land. The Ld. Advocate of the Revisionist and Opposite Parties have given their arguments and have given various details in their written submissions by virtue of which they claim that they are the rightful owners of the said plot of land.

LRDC Bagodar Sariya has also mentioned that as per order of Circle Officer Sariya in the Mutation Case, the applicant Rameshwar Sonar has possession over the said piece of land and there is no objection by any party, thus mutation application was accepted. And that the Appellant Santosh Sonar has not submitted any evidence showing his possession over the said land.

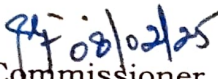
This Court also observes that in a case CWP No.16338 of 2011: 'Shamsher Singh vs Commissioner' in Punjab-Haryana High Court, the Hon'ble Court in it's order dated 02.09.2011 mentions that *"if mutation is contested and disputed by the parties claiming their respective titles, revenue officer should direct 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"*.

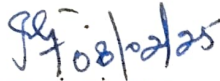
JS

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 Bagodar Sariya and CO Sariya, 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 wait for the order/ decision of Civil Court to establish their title over the said plot of land and that there is no need of any interference or revision in the order of Land Reforms Deputy Collector, Bagodar Sariya. Thus the present revision petition is rejected and this case stands disposed of.

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.

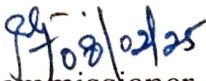
Dictated and Corrected by me.

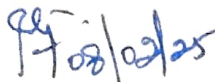

Deputy Commissioner
cum
District Magistrate,
Giridih


Deputy Commissioner
cum
District Magistrate,
Giridih

Memo No. 242, Date 08/02/25

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


Deputy Commissioner
cum
District Magistrate,
Giridih


Deputy Commissioner
cum
District Magistrate,
Giridih