

श की क्रम
ने सं0 और
तारीख

आदेश और पदाधिकारी का उस्ताधर

आदेश पर की गई
कार्रवाई के बारे में
टिप्पणी तारीख के
साथ

११/८/२५

In the Court of Divisional Commissioner,
Santhal Pargana Division, Dumka

Settlement Correction Case No.486/2023-24

Sunil Kumar Yadav and others

-Versus-

16/- Anna Raiyats

Order

The instant Settlement Correction Case has been filed for recording the name of the petitioners in respect to the land bearing Plot No.540 of area 00-19-00 Dhurs, Plot No.541/462, 464 area 01-08-10, J.B No.32, Plot No.538 of area 06-15-00, Plot No.545 of area 02-08-00, J.B No.37, Plot No.546 area 05-07-00, J.B No.48, Plot No.537 of area 03-06-00, J.B No.02, Plot No.539 of area 01-13-00, J.B No.13 and Plot No.541/463 of area 01-19-00, J.B No.37 all of the same Mouza-Lodhan No.36, Circle-Fulajori, P.S-Jama, District-Dumka in correspondence Final Parcha after Final Publication.

The brief fact as submitted by the petitioners is that Sunil Kumar Yadav Petitioner No.1 son of Baiju Prasad were landless person and are deserving for the settlement of land. The petitioners grandfather got the land in the year 1936 by Kurfa settlement. After getting the land in question, the petitioner's father/grandfather remained in continuous possession over the land in question till their death. The petitioners are in cultivating possession of the land having half-half share. The Petitioner No.1 is possessing about 12-12-05 Dhurs of the land and Petitioner No.2 is possessing 12-11-15 Dhurs of the land. The petitioners have perfected their possession and have acquired every Right, Title and Interest or possession over the land in question and as well as gained the adverse possession over the land in question under Section-18 of Regulation-III of 1872. The petitioner's name and possession could not be recorded with respect to land during present settlement operation and hence this Settlement Correction is filed by the petitioners.

The learned counsel of the petitioners submitted that the petitioners from the times of their grandfather are in continuous possession of the land and at present the petitioners have inherited the land. The petitioners have perfected their Right, Title and Interest and possession over the land under Section-18 of Regulation-III of 1872. The petitioners name

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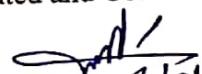
and possession could not be recorded in new Final Parcha of the land. In the light of above stated submissions prayed to allow the case.

The learned counsel on behalf the 16/- Anna raiyat submitted that the petitioners are in continuous possession over the land and 16/- Anna raiyat have no objection if their name and possession may be recorded in new Parcha and the claim and case of the petitioners is genuine. In the light of the above facts prayed to record the name of the petitioners in new Parcha.

Heard counsel of both the parties and perused entire documents. I observed that before filing this case, why the petitioners have not filed any case before the settlement authority is a question mark. Further there is no report about the present position and status of the land and therefore it is necessary to provide detailed enquiry report of the land from the competent authority and as well as detailed report of the land recorded with tenant in new Parcha. Therefore, it is not proper and legal to pass any order regarding Settlement Correction without detailed illustrative picture of the status of land on whose name land was recorded in last Gantzer's settlement. In the light of above fact, the Settlement Correction Case filed by the petitioners appears vague and not produced with full description and that after the Final Publication of the settlement operation.

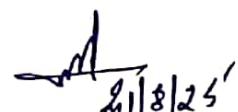
Hence, the Settlement Correction Case filed by the petitioners is dismissed.

Dictated and Corrected by me



9/1/25
Commissioner

Santhal Pargana Division,
Dumka



9/1/25

Commissioner
Santhal Pargana Division,
Dumka