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IN THE COURT OF DEPUTY COMMISSIONER, PAKUR

R.M.A. APPEAL NO. - 11/2010

Mina Devi & others,

Versus

... Appellants

Hiralal Roy & others.

... Respondents.

ORDER

11.2.2011 -

The present case was heard on admission. Briefly, the case of the appellants narrates that the Sub-Divisional Officer, Pakur passed eviction order under Section 20 and 42 of the S.P.T. Act in RER no. 19/2006-07 vide order dt 8.5.2009. The appellants claim that they have acquired the land through an affidavit no. 68 dt. 5.6.2006 and another affidavit no.- 4242 dt. 31.7.2008. They admitted that the land in question is a Bhoodhan Land.

Perused the order of the S.D.O., Pakur passed on 8.5.2009 it was stated in the order that Bhudan Yajna Committee, Sahibganj had settled 16 decimal of land of Hiralal Roy and that any land transferred within the provisions of Bhoodan Yajna Act is not transferable.

In the light of facts, documents and pleadings, it is undisputed that the land concerned is Bhoodan land which was settled with Hiralal Roy. Such land is not transferable under the provisions of the Act. As such the transfer of land through two so-called affidavits is not admissible under the law. In the result the appeal is dismissed.

Deputy Commissioner,
Pakur.

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