

R15/04 before L R D C, Ranchi which was allowed. The opposite party claiming himself as a purchaser of the disputed land and applied for mutation which was rejected by Circle Officer on 29.05.2006 in mutation case no 304 R27/06-07. Then the opposite party preferred an appeal which was allowed by L R D C Ranchi on 7.8.2007. It is claimed that the lower court decided the case beyond jurisdiction. The lower court has no jurisdiction to cancel a Jamabandi of a raiyat which was established in 1985-86.

The learned Counsel for the revisionist repeated the contentions in oral argument.

Coming to the facts of the case, and scrutiny of the documents available in lower court case, it appears that the revisionist claimed himself as the successor of recorded tenant. It is also contended that the name of revisionist is running in the Register II. However the respondent purchased the land from Sunanda Biswas. The vendor of Sunanda Biswas was Lal Rudra Pratap Nath Sahdeo.

In lower courts order, it is not clear that (i) as to how the land was transferred from Sunanda Biswas to present respondent, (ii) who is actual physical possession over the disputed land and (iii) how two parallel Jamabandis were created without canceling the earlier one?

The lower court is required to examine the above mentioned issues and give a clear finding. As a result the revision is allowed and case is remanded to the lower court for fresh hearing.

Dated:- 26.12.2007

Dictated & Corrected

Sd/-

Additional Collector
Ranchi