

केस का सं० और तारिख	आदेश ओर पदाधिकारी का हस्ताक्षर	आदेश पर की गई कार्रवाई के बारे में टिप्पणी, तारिख के साथ
1	2	3

IN THE COURT OF THE DEPUTY COMMISSIONER, RANCHI

Fraudulent Registration Case No.- 23 / 2019-20

20.04.2021

Ramesh Chandra Sahu Son of Late Gangu Mahto

Since deceased substituted by his legal heirs and successors namely

1- Lal Kishore Kumar

1(a) - Arun Kumar

1(b) - Aman Kumar

All Sons of Late Ramesh Chandra Sahu

2- Durga Prasad Sahu Son of Late Gangu Mahto

All Resident of Pundag, P.S. Jagarnathpur (Pundag OP),

District Ranchi

..... Applicant

-Versus-

1- Shayampati Devi Wife of Dwarika Prasad Singh

R/o Village Jalalpur, P.O. & P.S. Chiksaura, District Nalanda (Bihar)

2- Smt Shyampati Devi W/o Ram Bilas Prasad

R/o Gola Bazar, Sherghati, P.S. Sherghati, District Gaya (Bihar)

3- Maya Devi W/o Sri Ram Bilas Sahu

R/o Sheo Shanti Nagar, Kishorganj, Harmu Road

P.S. Sukhdeonagar, District Ranchi

..... Opp. Parties

ORDER

Present proceeding U/s 82 & 83 of the Indian Registration Act has been initiated upon the application preferred by the applicants above name praying inter-alia for annulment of (1) Sale Deed No. - 4687 dated 11.07.2019 executed in favour of Smt Shyampati Devi W/o Ram Bilas Prasad R/o Village Gola Bazar, Sherghati, P.S. Sherghati, District Gaya (Bihar) with respect of land under Khata No. - 120, Plot No. - 355, Sub - Plot No. - 355 / A area 11.25 Decimals of Village Pundag , P.S. No. - 228 , P.S. Jagarnathpur, District Ranchi and (2) Sale Deed No.- 4688 dated 11.07.2019 executed in favour of Smt Maya Devi W/o Ram Bilas Sahu R/o



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Kishoreganj, Sheo Shanti Nagar, Harmu Road , Ranchi with respect of land under Khata No.- 120 , Plot No.- 355, Sub-Plot No.- 355/C area 11.25 decimals of Village Pundag, P.S. Jagarnathpur, District Ranchi and (2) Sale Deed No. - 8602 dated 03.10.1969 executed in favour of Shyampati Devi Wife of Dwarika Prasad Sahu Resident of Village Jalalpur, P.S. Chiksarua Dist Nalanda (Bihar).

Inspite of summon calling upon the Opp. Parties to appear in the instant proceeding was published in daily newspaper Dainik Bhaskar on 24.03.2021, but no one appeared on behalf of the Opp. Party. Hence after hearing the applicant, the case was fixed for passing ex-parte final order.

According to the applicant, the land under Khata No.-120, Plot No.-355 area 1.82 Acres, Plot No.-192 area 40 decimals, Plot No.-193 area 51 decimals and Plot No.-194 area 15 decimals of Village Pundag, P.S. Jagarnathpur, Thana No.-228, District Ranchi stands recorded in the R.S. Record of Right as Kaimi in the name of Jhagru Mahto and Kariya Mahto. The recorded tenant Jhagru Mahto died leaving behind his only son Dubraj Mahto, who also died leaving behind his three sons namely Raj Kishore Mahto, Rajendra Mahto and Raman Mahto and four daughters namely Mosomat Kalawati Devi, Saro Devi, Sakun Devi and Soni Devi. The another recorded tenant Kariya Mahto died leaving behind his only son Gangu Mahto, which died leaving behind his two sons namely Ram Chandra Sahu and Durga Sahu (the petitioners) and five daughters namely Subhansh Devi, Minhas Devi @ Rukas Devi, Mosomat Mantorni Devi, Sadhu Mahto and Sadhan Kumari.

The aforesaid Dubraj Mahto Son of Jhagru Mahto during his lifetime transferred 91 decimals of land out of 1.82 Acres of Plot No.-355 under Khata No.-120 of Village Pundag to one



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Raghunath Rai Mehta vide registered sale deed no.-3554 dated 08.06.1962. He also transferred 51 Decimals out of total 1.06 Acres of the land under Khata No.-120, Plot No.-192, 193 and 194 of Village Pundag through registered deed of sale bearing Sale Deed No.-3349 dated 18.04.1966 to one Sheikh Gulam Mohammad falling in his share. After aforesaid transaction 53 decimals in the western side being half share in Plot No.-192, 193 and 194 under Khata No.-120 was left.

The applicant are in peaceful possession of the land under Khata No.-120, Plot No.-355 area 91 Decimals. They are residing therein with their family member. In the month of April- May 2018, the Respondent No.-1 alongwith some land broker and mafia started claiming the land appertaining to Khata No.-120, Plot No.-355 area 45 decimals of Village Pundag on the basis of registered sale deed no.-8602 dated 03.10.1969. On making enquiry, the applicant found that the Opp. Party No.-1 in connivance of some officials have succeeded in manufacturing a fake sale deed shown to be executed by Dubraj Mahto Son of Jhargu Mahto and Gangu Mahto Son of Kariya Mahto. The aforesaid Dubraj Mahto and Gangu Mahto have never executed any sale deed with respect of aforementioned land in question. The thumb impression and signature of the Vendor and Vendee does not match with the name of Vendor and Vendee of the said Sale Deed dated 03.10.1969. The Office of the District Sub-Registrar, Ranchi found forgery in the sale deed no.-8602.

The Opp. Party No.-1, on the basis of aforesaid forged and fabricated sale deed dated 03.10.1969, fraudulently executed the aforementioned sale deeds in question being(1) Sale Deed No. - 4687 dated 11.07.2019 executed in favour of Smt Shyampati Devi W/o Ram Bilas Prasad R/o Village Gola Bazar, Sherghati, P.S. Sherghati, District Gaya (Bihar) with respect of land under Khata No. - 120, Plot No. - 355, Sub - Plot No. - 355 /



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A area 11.25 Decimals of Village Pundag , P.S. No. - 228 , P.S. Jagarnathpur, District Ranchi and (2) Sale Deed No.- 4688 dated 11.07.2019 executed in favour of Smt Maya Devi W/o Ram Bilas Sahu R/o Kishoreganj, Sheo Shanti Nagar, Harmu Road , Ranchi with respect of land under Khata No.- 120 , Plot No.- 355, Sub-Plot No.- 355/C area 11.25 decimals of Village Pundag, P.S. Jagarnathpur, District Ranchi.

The aforesaid sale deed is also suspicious in view of the fact that, application for mutation on the basis of aforementioned sale deed in question executed in the year 1969 was made in the year 2014-15. The respondents with help of land mafia illegally tried to trespass upon the land in question. They demolished seven shops belonging to the applicant. Hence the applicants have lodged Jagarnathpur PS Case No.-273/2019 U/s 395 of IPC and Jagarnathpur PS Case No.-272/2019 U/s 341/323/353/504/506 of IPC.

Heard the applicant. On perusal of material available on record, I find that, inspite of summons properly issued upon the respondents and also after publication of the summon in the daily newspaper, no one appeared on behalf of the respondent. The respondents have lost the chance to rebut the pleading and the claim forwarded by the applicant. The pleading suggests that, while making verification of the Sale Deed being Sale Deed No.- 8602 dated 03.10.1969, the District Sub-Registrar, Ranchi and Deputy Collector Land Reforms, Sadar, Ranchi have reported that the aforesaid Sale Deed in question is suspicious. It is concerned with the falsification done with the sale deeds. Hence the aforesaid Sale Deed No.-8602 dated 03.10.1969 and the subsequent sale deeds being Sale Deed No. - 4687 dated 11.07.2019 and Sale Deed No.-4688 dated 11.07.2019 executed on the basis of the same appears to be fraudulent.

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For the reasons aforementioned, let the sale deed in question being Sale Deed No.-8602 dated 03.10.1969 and the subsequent sale deeds being Sale Deed No. - 4687 dated 11.07.2019 and Sale Deed No.-4688 dated 11.07.2019 executed on the basis of the same be annulled.

The District Sub- Registrar, Ranchi is directed to lodged FIR against the delinquents and enter the aforesaid direction issued vide the instant order in **Index II** as provided in Circular issued by the Department of revenue, Registration and Land Reforms, Government of Jharkhand vide Memo No-930 dated-21.09.2016

Communicate the order to the District Sub-Registrar, Ranchi for information and necessary action.

Dictated and Corrected by


20/4/21

Deputy Commissioner,
Ranchi.


20/4/21
Deputy Commissioner,
Ranchi.