

आदेश का क्रम संख्या और तारीख	आदेश और पदाधिकारी का हस्ताक्षर	आदेश पर की गई कारवाई के बारे में टिप्पणी, तारीख के साथ।
31/08/2021	<p style="text-align: center;">IN THE COURT OF THE COMMISSIONER SOUTH CHHOTANAGPUR DIVISION RANCHI</p> <p style="text-align: center;">REVENUE APPEAL 28/2000</p> <p style="text-align: center;">Shankar Oraon Vrs. Bal Mukund Nath Sahadev</p> <p>Revenue appeal 20/2000 was filed by Shankar Oraon against Bal Mukund Nath Sahadev challenging the order of Charge Officer in revision case no. 5/96.</p> <p>In this case, the opposite parties, after receipt of notice appeared on 9.10.2001, where they sought time. After that, the opposite parties never appeared in the case. Again, on 8.07.2008, the opposite parties appeared and sought time. After that, again both parties remained absent. The petition was dismissed for default on 31.07.2012. Again on 7.05.2013, on the request of petitioners, the petition was restored. In spite of repeated notices, the opposite parties did not appear. Notice was sent via registered post also. On 13.10.2020, newspaper notice was published on 14.11.2020 for the OPs to appear. In spite of this the OP did not appear and the case was fixed for ex-party hearing. OPs were again given a chance to file their written arguments but they remained absent, hence, the matter was proceeded ex party.</p> <p>The land in question is in khata no. 97 plot no. 377 and 376, corresponding to new plot nos. 621, 622 and 624, area 12 dec., 1.34 dec. and 17 dec., respectively and also land under RS Khata no. 147 plot no. 372, 373, 374 and 375, corresponding to new plot no. 626, area 91 decimal. This land originally belongs to Awai Nath Sahadeo, S/o Jeevan Nath Sahadeo, according to RS khatiyān published in the year 1935. The recorded tenant sold the land to Ramesh Chandra Rai in the year 1950 via registered deed. The said Ramesh Chandra Rai, sold the land to Ganesh Oraon, Mahesh Oraon and ors via registered deed no. 2922 of 1955, after which, the purchasers came in possession and are paying rent of the land. In absence of original owners of the said land, the draft khatiyān got published in the name of respondents whereas, ancestors of appellants were entered in Kabjwari column of the bandaparcha. The respondents filed a revision</p>	

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साथ।

case 5/96 for correction of draft khatiyani which was allowed by ASO Ranchi; hence, this appeal. The petitioners have filed the original registered sale deeds and the land rent receipts.

From the perusal of lower courts orders, it is clear that the respondents filed a petition in the settlement court about them being in possession of the land but could not be present during the survey and only after publication of draft khatiyani, he got to know about the entries of the khatiyani. The Petitioner in lower court on appeared only once but did not file any reply or argued the case. Thus, only on the basis of respondent's claim, khatiyani was ordered to be corrected by the ASO Court.

Petitioners have purchased the land from the rightful owners through registered deeds. Land receipts are also being issued in their name to date and lands stand mutated in their name. Hence, there is no reason that the khatiyani of the said lands should be in the name of the respondents. In spite of all efforts by this court, respondents have not bothered to appear and put up their argument on this matter. Clearly, on the basis of records, the khatiyani entries need to be corrected in the names of petitioners. The petitioners are directed to approach the Settlement Officer Ranchi, with all the original sale deeds, who will make necessary corrections in the khatiyani entries accordingly.

Send the copy of orders to Settlement Officer Ranchi for necessary action.

Dictated & Corrected

[Signature]
Commissioner

[Signature]
Commissioner