

आदेश का
क्रम संख्या और
तारीख

आदेश और प्रदाधिकारी का हस्ताक्षर

आदेश पर की
गई कारवाई के
बारे में टिप्पणी,
तारीख के
साथ।

20/09 /2021

**IN THE COURT OF THE COMMISSIONER SOUTH
CHHOTANAGPUR DIVISION RANCHI**

REVENUE REVISION 87/99

Michal Munda

Vrs.

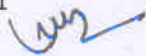
Patrash Kacchap & Others

Revenue revision 87/99 was filed by Michal Munda v. Patrash Kacchap and others against the order of DC Ranchi in case no 127-R 15/97-98.

In this case the petitioner could not submit the correct address of the opposite parties for long time. After the petitioners death he was substituted by his son Satish Basant Munda on 8.3.2016 as per the Cover Page of the case record. Opposite party no 1, 4 and 8 were also substituted. The substituted petitioner never appeared before this court inspite of repeated chances given to him. Opposite parties 1 to 4 attended the court on few dates and later, only OP no. 8 continued to represent his case and kept requesting for early hearing of the matter. Finally left with no option his arguments were heard and it was decided to dispose the matter on the basis of available records.

The matter involved in this case pertains to SAR case no 348 of 1989-90 which was filed against Mahanand Singh, the father of Op no 8. After hearing all the parties the SAR Court vide his order dated 30.10.1991 fixed Rs. 5000 as compensation to the tribal tenants. This amount was paid to them on the identification of the advocate. The petitioners never challenged this order in any forum. After about 4 years they filed a petition before a SAR court stating that the payment has been made to wrong persons and the court should file criminal case against them. The SAR court vide Order dated 17.07.1997 rejected the petition as it was not in his jurisdiction. The petitioner filed appeal in the court of DC after about six years; where DC, Ranchi after hearing the parties, passed detailed order analysing and examining various points and rejected appeal against which the petitioner has come to this court.

OP no 8 has argued that there is no case made out in this matter and petitioners are just trying to drag it from one court to other. The matter pertains to alleged Payment to wrong person, so petitioner are free to file criminal cases but they are trying to re-open the original SAR case in the name of wrongful payment. The SAR case is already time barred for appeal and revision. They have also argued that petitioner Michal Munda has not even been formally substituted



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| | <p>even after repeated reminders. Thus they pray for disposal of this case at the earliest.</p> <p>From the perusal of the records it is clear that in the name of wrong payment the petitioners are trying to get SAR Case 348/89-90 re-examined. The appellate court of DC Ranchi has passed a detail order on each and every point. The appeal was filed in DC Court after seven years of the original order.</p> <p>In this court the conduct of the petitioner has been highly negligent as even the service of notices to the Op could not be ensured, as they could not produce proper address of any one. On 21.9.2015 the petitioner intimated about the death of original petitioner on 08.12.2014. In this petition they never asked for substitution of the dead petitioner. Thus the claim of Op no 8 that petitioner was never substituted is correct. The entry of the substitution of petitioner of case on cover page are not correct. On 08.03.2016 Op no.1 was substituted which has been wrongly mentioned against name of petitioner. The petitioner has asked the courts below the file Criminal Cases against so called impersonaters. Clearly this is not the job of revenue court. The SAR court and DC court rightly rejected these petitions. If the petitioner is claiming that a fraud in payment has taken place it was always open to lodge a criminal case. But petitioner with some different motive has kept on agitating in various courts. The conduct of the petitioner is also highly negligent and they have not even bothered to substitute the original petitioner. Clearly this revision petition has no merit and is accordingly dismissed.</p> <p>Dictated & Corrected</p> <p><i>W. K. Kumari</i> 20/9/2024 Commissioner</p> <p><i>W. K. Kumari</i> 20/9/2024 Commissioner</p> | |