

आदेश का
क्रम संख्या और
तारीख

आदेश और पदाधिकारी का हस्ताक्षर

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

06/01/2022

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

SAR Revision 08/2015

Kamta Prasad and others

Vrs.

State and Mahli Oraon.

The instant revision was filed against the order of DC, Ranchi in SAR appeal no. 22 R 15/2014-15; wherein the lands located in khata no. 151, plot no. 84, area 21 katha of village Hehal was ordered to be restored to tribal petitioners. This order was passed on 24/11/2014 and revision petition filed on 03/03/2015. Petitioners claim lack of knowledge of the order for delay in filing this application.

After filing the revision petition the petitioner has not bothered to be present in the court on any single date. Hence it was decided to dispose the matter on the basis of available records.

From the perusal of petition and lower courts order it is clear that the claim of petitioner is based on a transfer in the favour of applicants in the year 1943 through sada sale deed. Which has got no evidentiary value in the eyes of law and the same seems to be manufactured and anti-dated document. The petitioner claimed about substantial structures erected on the disputed lands before the promulgation of the

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आदेश का क्रम संख्या और तारीख	आदेश और पदाधिकारी का हस्ताक्षर	आदेश पर की गई कारवाई के बारे में टिप्पणी, तारीख के साथ।
	<p>scheduled area regulation 1969. However the technical team found out that the said constructions were only 7-8 years old. It is also clear that the order from the SAR court was obtained by playing fraud and the SAR court accepted the contention of land being transferred by sada hukumnama even when it has recorded that said lands have been transferred in contradiction of section 46 of the CNT Act. All such orders passed by the SAR court were found to be issued for some other consideration and thus after inquiry in each case the Deputy Commissioner has set aside the order and restored the land to the tribal parties.</p> <p>The petitioner has not bothered to be present in the court even on a single date. This court has passed orders in similar other such cases. It is found that in the appellate court inspite of repeated oppurtunities petitioners did not appear to argue the case. The same modus has been followed by the petitioner in this court also. Clearly the intention of the petitioners seem to keep the matter pending. Thus there is no merit in this revision petition and is accordingly dismissed. The petitioner claims that they have paid the compensation of the said lands to the tribal parties. They are free to recover the compensation from the opposite parties following duw process of law.</p> <p>Dictated & Corrected</p> <p><i>W Kulkarni</i> 6/11/22 Commissioner</p> <p><i>W Kulkarni</i> 6/11/22 Commissioner</p>	