

आदेश का  
क्रम संख्या और  
तारीख

आदेश और पदाधिकारी का हस्ताक्षर

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

13/01/2022

**IN THE COURT OF THE COMMISSIONER,  
SOUTH CHHOTANAGPUR DIVISION RANCHI  
SAR Revision 17/2018**

**Deepak Kumar Gupta & Arun Kumar Singh**

**Vrs.**

**State and Jagarnath Oraon**

The present revision has been filed against the order of DC, Ranchi in SAR Appeal no. 51-R 15/2014-15 whereby the learned court has allowed the appeal preferred by the State and ordered for restoration of the lands in khata no. 8, plot no. 157 and 159, area 6.8 katha, village Hehal in the favour of tribal parties.

After filing this petition of 19/03/2018 the petitioner appeared on initial dates; the last attendance of petitioner is 16/12/2019. After this date the petitioner never appeared in the court to argue his case. In spite of last chance being given on 27/12/2021 and 06/01/2022 petitioner did not appear in the court. Hence it was decided to dispose the matter as per available records.

According to the petitioner they acquired the land in question from the recorded tenant in the year 1942-43 through oral sale and since then they have erected substantial structure over the land in question and are in possession of the land. Hence the claim for restoration cannot be entertained and the petitioner has already paid the compensation as directed by the SAR court.

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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। |
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|                              | <p>The Deputy Commissioner on inquiry by the technical experts found that the substantial structures over the land in question has been erected 7 to 8 years ago and the petitioners failed to bring on record any evidence to show the existence of such structures prior to promulgation of Scheduled Area Regulation 1969. The SAR court on wrong assumptions and interpretations passed the orders for compensation; even when it concluded that tribal raiyati lands were transferred in contravention of the CNT Act. The plain sale deed claimed by the petitioners is clearly a manufactured document and hence cannot be accepted as a evidence. The Deputy Commissioner has clearly concluded that the orders of the SAR Court were obtained by practicing fraud and misrepresentation and hence ordered for restoration of the land.</p> <p>There is no ground to interfere with the orders of the lower court. The petitioner is continuously absent from this court. Hence this revision petition is not maintainable and is dismissed. The petitioner is free to recover his money paid to the tribal raiyats through legal means.</p> <p>Dictated &amp; Corrected</p> <p style="text-align: right;"><i>W. Kumaram</i><br/>Commissioner</p> <p style="text-align: left;"><i>W. Kumaram</i><br/>Commissioner</p> |   |