

आदेश का  
क्रम संख्या और  
तारीख

आदेश और पदाधिकारी का हस्ताक्षर

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

13/01/2022

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

**SAR Revision 43/2008**

**Shanti Augustina & others**

**Vrs.**

**Ramkaleshwar Singh & others**

Instant Revision Petition is filed against order of Additional Collector, Ranchi in SAR Appeal 28R 15/2007-08 wherein the Additional Collector held that the lands in khata no. 146 is recorded as gair majaruwa malik and hence restoration order could not be passed on the same. In the instant case the petitioner only attended the court on 15/04/2009 however the case record on that day doesn't have any authentication. The petitioner is continuously absent and hence the case could not even be admitted in last 14 years. Thus it was decided to dispose the matter on the basis of available records.

The main claim of the petitioners is that khata no. 146, plot no 94, area 1.72 acres is their ancestral property recorded as gair majurwa bhuihari mahtoi. On the same land SAR case 136/95-96, SAR case 58/96-97 were filed which were rejected. However another SAR case 862/03-04 was decided in terms of provisio II of section 71. In SAR case 878/34 land was restored to the petitioner and this order was upheld by Additional Collector in appeal no. 123 R 15/03-04. Thus on the same lands different judgements have been passed by the Additional Collector. In fact the orders in appeal no. 123

N/P

अल्यट एक्का स्ते  
सधारण हेतु साशस्त्र बन्  
09.2019  
कपि

अनुसूची 14 - फारम सं० 563

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R 15/03-04 and the instant appeal under challenge are passed by the same presiding officer. Thus it is clear that there is a confusion regarding the nature of disputed land. While the appellant is continuously absent and hence this revision petition cannot be accepted as such. It is the duty of the court to get the issue about the lands in khata no. 146, plot no. 94 clarified. Hence this matter is referred to DC, Ranchi to examine the disputed land records in details and pass a final order after giving opportunity of hearing to the stake-holders about the restoration or otherwise of the land.

Dictated & Corrected

*W. Kumar*  
12/11/22  
Commissioner

*W. Kumar*  
12/11/22  
Commissioner