

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	<p style="text-align: center;"> IN THE COURT OF THE COMMISSIONER, SOUTH CHHOTANAGPUR DIVISION RANCHI </p> <p style="text-align: center;"> SAR Revision 78/2017 </p> <p style="text-align: center;"> Babita Kumari Vrs. State & Nilambar Munda </p> <p> Instant SAR Revision was filed against the order of DC, Ranchi in SAR Appeal 49-R15 of 2014-15 wherein order for restoration of land in Khata No. 19, Plot no.106 ,area 5 katha of village Lalpur was ordered to be restored to the tribal raiyats. The order was passed by the lower courts on 11/01/2017, whereas this revision was filed on 27/11/2017. Petitioner has claimed lack of knowledge of lower courts order for this delay. </p> <p> After filing of this revision petition; petitioner has never appeared in this court on any single date. Petitioner was given last chance to argue the matter on 20/12/2021 and 27/12/2021; however petitioner remained absent from the court. Therefore it was decided to dispose the matter on the basis of available records. </p> <p> From the perusal of petition and lower court's order it is clear that the claim of petitioner is based on a sada hukumnama in the year 1946-47 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 on the disputed land to be erected before the promulgation of the scheduled area regulation 1969. However the technical team found out that </p>	

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आदेश और पदाधिकारी का हस्ताक्षर

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 tribal raiyati 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 considerations and thus after inquiry in each case the Deputy Commissioner has set aside the order and restored the land to the tribal parties. 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. 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 which was received by the tribal petitioners. They are free to recover their compensation amount from the opposite parties through due process of law.

Dictated & Corrected

W. K. ...
Commissioner

W. K. ...
Commissioner