

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	<p style="text-align: center;"><b>IN THE COURT OF THE COMMISSIONER, SOUTH CHHOTANAGPUR DIVISION RANCHI</b></p> <p style="text-align: center;"><b>JAR Appeal No. 05/2020</b></p> <p style="text-align: center;"><b>Kumari Shangamitra Majumdar Vrs. Santosh Kumar Singh &amp; others</b></p> <p>Instant Appeal is filed u/s 33 of Jharkhand Apartment Ownership Act 2011 against the order passed by Municipal Commissioner, Ranchi in case no. 28/2015 whereby it has been directed to execute a sale deed in favour of respondent Santosh kumar Singh.</p> <p>This application was filed in this court on 04/03/2020 against the order dated 18/02/2019. The petitioner remained absent from the court from the first date of hearing 22/12/2020. On 28/12/2021 one time petition was filed for adjournment. Accordingly the matter was posted on 10/01/2022 for final hearing on the point of admission however there was no step from the petitioner; hence it is clear that petitioner is not interested in pursuing this appeal. Thus it was decided to dispose the matter on the basis of available records.</p> <p>From the perusal of petition and the order of the Municipal Commissioner it is clear that a building named Sri Krishna Enclave has been constructed against the approved building plan and the second party Mr. Santosh Kumar Singh is the purchaser of flat no. 201. He filed possession letter, development agreement, Sale agreement, payment receipts, builder NOC, holding receipt of RMC and electricity bills to</p>	

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	<p>show his occupancy of the said flat. The inquiry conducted by the RMC, also confirmed the same. Hence the flat owner who was denied registration of his flats was ordered to be registered along with penalty against M/s Krishna Builders. The claim of the petitioners is regarding the property dispute among the different stake holders who has been made party in this case. Petitioner has main grievance against one of the co-sharer of the land, Siddharth Majumdar who has constructed the said building. A complain case between the two parties is also pending in the Ld. JM First Class Ranchi vide case no. 118/2010. A partition suit between the parties is also pending numbered 46/2010. Clearly the disputes between the ownership of land and share holding of the properties cannot be the reason to deny the legal right of the flat holder to get his flat registered in his name after completion of all the formalities. Petitioner has not pointed out any latches or lacuna on the part of flat owner in the registration process. They are free to agitate their matters pertaining to the title of the land in the competent courts. There is nothing in this petition to deny OP No. 1 the registration of the flat he is occupying. The petitioner has not attended the court on any single date to argue the matter. Thus this appeal petition has no grounds for admission and further consideration by this court. Hence this appeal stands dismissed.</p> <p>Dictated &amp; Corrected</p> <p><i>[Signature]</i> Commissioner</p> <p><i>[Signature]</i> Commissioner</p>	