

आदेश
कार्यालय
राजपुर

IN THE COURT OF DUPUTY COMMISSIONER, RAMGARH

Restoration Appeal No.- 35/2013

Jibu Pahan Vrs. State and Sohan Mahli

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L/03/2015

ORDER

The Appeal was filed against order dated 26.08.2013 passed by the trial court of the DCLR, Ramgarh in Restoration Case No.- 19/2012-13. The land under dispute is related to village- Raipur, P.S- Gola, Thana No- 30, khata No- 63, Plot No- 556, Area-0.20 acre.

Appeal was admitted on dated 01.10.2013 and L.C.R was called for. There after notice was issued to both parties.

The appellant has stated in the petition that appellant had purchased the disputed land in the name of his wife smt. Parti Devi by virtue of sale deed N.- 2337 dated 10.07.1985, after due Permission accorded by D.C. Hazaribagh through DCLR Sadar Hazaribagh vide Permission case N.- 261/1984-85 dated 28.06.1985. There after Circle Officer, Gola also opened zamabandi in the name of Smt. Parti Devi in Page N.-35/III in Register-II and issued rent receipt. It is further stated that appellant was disposed from the disputed land from last One year the date of filing of petition of Restoration. So appellant prayed that said appeal may be allowed.

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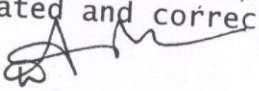
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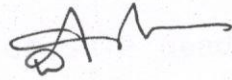
On the other hand respondent stated that the said appeal is time barred and it is fit to be dismissed. It is further stated that the land in disputed land was purchased by Smt. Parti Devi sale deed N.- 2337 dated 10.07.1985 but she has not been made a party. Neither she given any written authority to the appellant to file the instant appeal. It is further submitted that the disputed land recorded in khatiyani in the name of his Grand Father Namely Nandlal pahan and stile they are in possession over the disputed land.

Case is about legality of purchase of land between seller and buyer and both parties belong to scheduled tribe only. Hence there is no case of land restoration.

Hence the appeal is dismissed and lower court order is upheld. Case record to be submitted in record room.

Dictated and corrected


Deputy Commissioner
Ramgarh (Jharkhand).


Deputy Commissioner
Ramgarh (Jharkhand).

352/964
4/4/15