

IN THE COURT OF DEPUTY COMMISSIONER, RAMGARH

Miscellaneous Appeal Case No.- 10/2014

Most. Fatima Khaton ... Vrs. ... State of Jharkhand

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ORDER

/06/2015

The Appeal was filed against order dated 22-07-2011 passed by the Trial Court of the Sub-Divisional Officer Ramgarh in Doubtful Demand Case No.- 01/2011-12. The land under dispute is related to Mauza- Tewardag, P.S- Ramgarh, Police station No.- 158, Khata No- 01, Plot No-549 for an Area of 15.25 Acres out of total area 41.25 Acres.

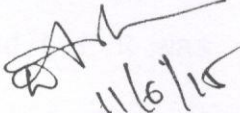
As per the direction of Hon'ble High Court Jharkhand, Ranchi above Appeal was admitted on 30-04-2015 and L.C.R was called for.

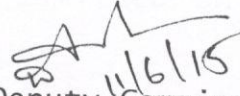
The appellant has stated that the land appertaining to Plot No.- 549, under Khata No.- 1 in Mouza- Tewardag measuring an area of 41.25 acres was recorded as Gair Mazarua Khas in the record of right. The Father-in-law of the appellant, Sk Navi Mohammad converted the said barren land into a Kodkar by dint of labour, time and money with the permission of ex-landlord and came in peaceful cultivation of the said land measuring an area of 15.25 acres. Accordingly in or about 1935, the ex-landlord, after accepting Salami, executed a Hukumnama for the aforesaid land measuring an area of 15.25 acres in favour of father-in-law of the appellant. He used to pay rent to the ex-landlord against grant of rent receipt.

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In view of the above facts and on perusal of the show-cause and Lower Court records, it appears that the land in question belongs to G.M. Khas Khata. The Nature of the land as mentioned in the Khatiyani is Jangal. The Jamabandi was opened without order of any competent authority. Prior permission of competent authority for opening of Jamabandi is Compulsory as per Govt. Circular. Hence Jamabandi opened in the name of Sk Navi Mohammad S/o Sk Taj Uddin is illegal and doubtful. Therefore I found no ground to interfere with the judgment of the Lower Court. Hence the appeal is disallowed and lower court order is upheld. Case record to be submitted in record room.

Dictated and corrected


11/6/15
Deputy Commissioner
Ramgarh (Jharkhand).


11/6/15
Deputy Commissioner
Ramgarh (Jharkhand).

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