

IN THE COURT OF COMMISSIONER SANTHAL PARGANA
DIVISION, DUMKA

M.P. Case No. – 31 of 2005-06

Sona Ram Hansda & Others ----- Petitioners

-: Versus :-

Tapan Kumar Dutta & Others ----- Opposite Parties

ORDER

The present petitioners have filed the above case with a prayer to record their names over the Final Purchas prepared from Last Settlement Purchas of Jamabandi No. – 32 (McPherson's 16), Jamabandi No. – 33 (McPherson's 17) and Jamabandi No. – 18 Cha (McPherson's 10A) of Mouza – Nachangaria within Jama P.S. of Subdivision and District – Dumka and have referred Section 25(4)(A) of Regulation III of 1872 in which the Commissioner, S.P. Division, has powers regarding correction of the Gantzer's Settlement Purcha and the petitioners have also referred the order dated – 14.09.2017 passed by Commissioner, Pradip Kumar, passed in his Misc. Settlement

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Correction Appeal No. – 208 of 2012-13 in Digam Marandi -
:Versus:- Umakant Sah.

The petitioners have pleaded that McPherson's Jamabandi No. – 16, 17 and 10A were recorded in the names of the ancestors of the petitioners, but the O.Ps. by playing fraud and by misleading the Gantzer's Settlement Staffs during the Last Settlement, got their names recorded over the Gantzer's Settlement Purchas of Jamabandi Nos. 32, 33 and 18Cha, against which the petitioners had filed M.P. Case No. – 1 of 1998 before the Settlement Officer, Dumka, who at one hand found the names of the O.Ps. has been illegally recorded over the Purcha of Last Settlement Jamabandi Nos. 32, 33 and 18 Cha, but since he was not having jurisdiction, so he referred the present matter before this Court to decide the same under Section 25 (4) (A) of Regulation III of 1872.

On the other hand, the O.Ps. have appeared and have argued that the properties in question have been acquired by the O.Ps. by Sale, but the O.Ps. do not file any document regarding sale of the properties in question, which is the basis of recording of the names of the ancestors of the O.Ps. over the Last Settlement Purcha.

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(3)

Heard the petitioners and on careful perusal of the case record and the order dated - 01.04.2005 passed by the Settlement Officer, Dumka, passed in M.P. Case No. - 1 of 1998, it seems that the ancestors of the petitioners were recorded during the McPherson's Settlement, but the O.Ps. by misleading the Gantzer's Settlement Staffs have managed to get their names recorded over the Gantzer's Settlement Purchas and the non-production of the documents of the O.Ps. before this Court proves the fraud of the O.Ps. committed during the Last Settlement.

Hence the claim of the petitioners over the Last Settlement Purcha of J.B. No. - 32 (McPherson's 16), Jamabandi No. - 33 (McPherson's 17) and Jamabandi No. - 18 Cha (McPherson's 10A) corresponding Final J.B. are genuine and legal.

Dictated and Corrected by me.


13/6/2022
Commissioner
S.P. Division, Dumka.


13/6/2022
Commissioner
S.P. Division, Dumka.