



IN THE COURT OF DIVISIONAL COMMISSIONER, JAMMU

File No. 22/Revision
2014-15

Date of Institution
10-6-2014

Date of Decision.
26-05-2017

1. Romesh Chander
2. Manohar Lal Both sons of Late Sh. Shiv Ram Residents of H.No.318, Old Rehari Mohalla, Jammu. (Petitioners)

VERSUS

1. Smt. Kaushalya Devi W/o Late Sh. Daya Ram
2. Rajinder Kumar S/o Late Sh. Daya Ram Both residents of H.No. 318 Old Rehari Mohalla, Jammu (Respondents)

In the matter of: Revision petition against the impugned order dated 03-10-2012 passed by Tehsildar Nazool in which he directed the Naib Tehsildar to visit the spot and partition the existing vacant land equally to the parties which is against the law and justice.

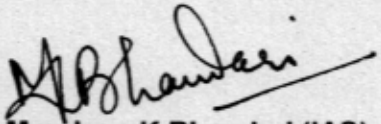
ORDER

The present revision petition has been filed against the impugned order dated 03-10-2012 passed by Tehsildar Nazool in which he directed the Naib Tehsildar to visit the spot and carry out partition of the existing vacant land equally to the parties.

1. The dispute between the parties is with regard to Land measuring 1K-14 M situated at Rehari Tehsil Jammu.
2. The contention of the petitioner is that husband of the respondent 1 has sold out their maximum portion of land and on the other hand, the petitioner has only 7 1/2 M of land over which they have constructed their houses.
3. The case came up for hearing. Both the parties present in person. They are heard. The order under challenge is perused which shows that court below after conducting spot enquiry, recording statements and hearing the interested parties has passed order whereby Tehsildar Nazool Jammu has directed the Naib Tehsildar to visit the spot to demarcate the vacant land as well as residential house and to hand over the possession equally. So far as the order impugned is concerned this court observes that no right of petitioners has been infringed.
4. In view of the above this court is of the opinion that the order passed by Tehsildar Nazool is a well reasoned & judicious order & this court finds no infirmity in the order impugned.
5. Hence the petition in hand having no merit is dismissed & order passed by Tehsildar Nazool dated 03-10-2012 is upheld.
6. Tehsildar Nazool is directed to visit the spot and demarcate the land in dispute in presence of both the parties & shall pass order accordingly under law. A copy of this order be sent to Tehsildar Nazool Jammu for information & necessary action.

Both the parties shall appear before Tehsildar Nazool on 12th Jun 2017. This exercise be completed within two months.

Stay issued, if any, shall stand vacated. The case file be consigned to records after due completion.


Dr. Mandeep K Bhandari (IAS)
Divisional Commissioner,
Jammu

Announced
26-5-2017