



IN THE COURT OF DIVISIONAL COMMISSIONER, JAMMU
(Rail Head Complex, Jammu)

(0191-2478991, 2478999, Fax-2478997, e-mail: divcomjammu@gmail.com)

File No.

28/Revision
2014-15

Date of Institution

25.5.2017

Date of Decision.

01-9-2017

Chaman Singh S/o Late Jaswant Singh through Ravinder Kumar Jamwal (son)
R/o Nardani Morh, Raipur Tehsil Jammu.

(Petitioner)

VERSUS

1. Jagdish Chand.
2. Brij Lal
3. Shoba Ram
4. Deepak Ram
All sons of Late Sant Ram Residence of Nardani Morh, Raipur Tehsil Jammu.
5. Mutating Officer.

(Respondent)

In the matter of:

Revision petition for setting aside the Mutation No. 486 dated 17th Poh, 2010-BK passed by the Mutating Officer- Respondent No. 8 illegally without jurisdiction with regard to land bearing Khasra No. 2335 measuring 9Kanal 11Marlas situated at Village Raipur Domana Tehsil Jammu with further prayer for any other order or direction with regard to the Mutation and correction of Revenue record in favour of the petitioner (owner).

ORDER

1. The present petition has been filed against the Mutation No. 486 dated 17th Poh, 2010-BK passed by the Mutation Officer i.e. Respondent No. 8

ms

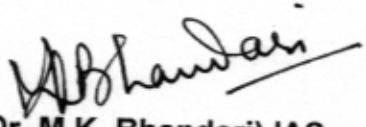
allegedly illegally and without jurisdiction with regard to land bearing Khasra No. 2335 measuring 9K- 11 Marlas situated at Village Raipur Domana Tehsil Jammu.

2. During pendency of petition petitioner/applicant filed an application for deleting the names of respondents No. 5-7 namely Kaushalya D/o Ghashtu Ram, Ramesh Chander & Kala Ram, both the sons of Smt. Kaushlya, stating that he (the petitioner) has no concern with the land in possession of respondents No. 5 to 7. The application is allowed and names of respondents No. 5 to 7, not being necessary party as per the petitioner have been deleted from the petition.
3. The dispute between the parties is with regard to the land comprising khasra No. 2335 in Village Raipur Domana, Tehsil Jammu measuring 9K 11M.
4. The contention of the petitioner is that rights with regard to this land had been conferred upon his predecessor-in-interest to the extent of his share and he has constructed a house in the said portion and is enjoying the possession of the same without any interruption by anybody. He has cited Jamabandi of BK 1984-85 in support of his claim.
5. The case came up for hearing. Petitioner along with Counsel for petitioner is present. Respondents No. 1 to 4 are present in person. Counsel for petitioner submitted that the parties have compromised out of the court with the intervention of the persons of the locality, and prayed that the petition be dismissed as compromised. He filed an application along with affidavit executed by the parties in this regard. Respondents No. 1 to 4 submitted that they have no objection if land measuring 1 Kanal out of their share is recorded/ mutated in favour of the petitioner. Both the parties expressed disinclination in pursuing the case further before this Court. The petitioner & respondents No. 1 to 4 have also executed affidavits in support of compromise deed.

ml

6. I have heard both the parties from which it has been observed that when the parties have resolved their dispute amicably out of this court, and no proceedings are required to be carried on further in the matter.
7. Hence, when the parties have resolved the issue by way of compromise out of Court and the respondents have agreed to the conditions of compromise, no further proceedings are required to be carried on in the matter. Thus in view of the above, the present petition is dismissed as compromised.
8. A copy of this order, along with Compromise Deed be sent to Tehsildar Jammu North for information & further necessary action under law after hearing all the interested parties without disturbing the share, possession & record of Kaushalya D/o Ghashtu Ram, Ramesh Chander & Kala Ram; both sons of Smt. Kaushlya.

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


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

Announced