BEFORE NATIONAL LOK ADALAT DATED 14.12.2024

HELD AT JHARKHAND HIGH COURT, RANCHI

[Organized by High Court Legal Services Committee under Section 19,

Legal Services Authorities Act, 1987, (Central Act)]

BENCH NO. 1

COURT NO. 7

Case No.: W.P.(C). No. 6456 of 2024

1. Petitioner/ Appellant:- Vidyawati Singh

Versus

2. Respondent/O.P.(s).:- The State of Jharkhand & Ors.

Name of Hon'ble Judge:- **Hon'ble Dr. Justice S.N. Pathak**

Name of Advocate Member:- **Mr. Sreenu Garapati, S.C.-III**

AWARD

The dispute between the parties having been referred for determination to the National Lok Adalat and the parties having compromised/ settled the case/ matter upto the extent of Award, the following award is passed in term of settlement **as per the order enclosed herewith**.

The parties are informed that the Court fee, if any, paid by any of them shall be refunded.

…….. ……..

Petitioner/ Plaintiff/Appellant Respondent/O.P.

……. ……..

Sign. of Hon'ble Judge Sign. of Advocate Member

(Seal of the Committee)

IN THE HIGH COURT OF JHARKHAND AT RANCHI

(National Lok Adalat)

W.P.(C). No. 6456 of 2024

Vidyawati Singh … ... **Petitioner**

-Versus-

The State of Jharkhand & Ors. ... … **Respondents**

CORAM: HON'BLE DR. JUSTICE S.N.PATHAK
MR. SREENU GARAPATI, SC-III

For the Petitioner : Mr. Sunil Kumar Agarwal, Advocate
For the Respondents : Mr. Sanjay Kumar Tiwari, SC-I

14.12.2024 Today, this case is listed before the National Lok Adalat for adjudication of the disputes between the parties.

Mr. Vaibhav Mani Tripathi, District sub-Registrar, Ranchi is present.

The petitioner has filed the present writ petition praying for a direction upon the concerned respondent to register the sale deed in favour of the petitioner, which was refused only on the ground that the land in question is gair mazurwa maalik land, contrary to the fact that Deputy Commissioner has already issued Jamabandi with respect to the said land.

It has been brought to the notice that the matter has already been decided by this Court in W.P.(C) No. 1674 of 2018, wherein it has been directed to all the authority concerned in the State of Jharkhand that only Gairmazura Aam land and Khas Mahal Land are the Government's land and they cannot interfere in any Gairmazura Khas Gairmazura Malik land. It has been directed that any Officer who trespass into right of a person without having any declaration about the land to be a Government land shall be treated seriously by the State Government as well as this Court as illegal act. Giving this observation, the Court has directed not to interfere into the right of the person once State has recognized his right to be a tenant by opening Jamabadi and issuing the rent receipt.

Learned counsel for the respondent does not object to the same.

In view of fair submissions of learned counsel for the parties, petitioner is directed to appear before the Deputy Commissioner, Ranchi, along with all documents. Thereafter, the Deputy Commissioner shall examine the matter and relying upon the order passed by this Court in W.P.(C) No.1674 of 2018, pass the reasoned order. It if is found that the petitioner is entitled for the relief as sought for, the relief thereof shall be extended to him. Deputy Commissioner is directed

to look into the matter personally and consider the grievances of the petitioner within a period four weeks.

In view of the aforesaid terms, the matter stands settled and award is decreed accordingly.

(Sreenu Garapati)
Sign. Advocate Member

(Dr. S.N. Pathak, J.)
Sign. of Hon'ble Judge

R.Kr./Rohit