

IN THE BOARD OF REVENUE FOR RAJASTHAN, AJMER

Appeal/TA/153/2004/ Sirohi

1. Babu Lal son of Jora Ram
 - 2 Smt. Gaji widow of Jora Ram
- Both by caste Meena resident of Deoli Tehsil Shivganj Distt. Sirohi

...Appellants.

Versus

1. Mitha Lal son of Harta
 2. Narain)
 3. Laxman) sons of Sankla Ram
 4. Hari Ram)
 5. Dinesh)
 6. Smt. Keli widow of Sankla Ram
 7. Pakhu daughter of Virda Ram
- All by caste Meena residents of Village Deoli Tehsil Shivganj Distt Sirohi
8. State of Rajasthan through Tehsildar, Shivganj.

...Respondents.

D.B.

**Shri Shikhar Agarwal, Member
Shri Hari Shankar Goyal, Member**

Present:-

Shri Dungar Singh, counsel for the appellants.

Shri Yogendra Singh, counsel for LRs of Respondents.

Date:07-02-2020

J U D G M E N T

This is an appeal against the order of Revenue Appellate Authority, Pali dated 7.3.2010 by which he has remanded the case to the trial court to decide the issue No. 3 in case No. 24/98 of the trial court.

2. The learned advocate for the appellants has stated that a well has been constructed by him and, therefore, he has full rights over it. The learned advocate for the respondents have contested this claim and has stated that this is not the fact and, therefore, cannot be agreed upon.

3. We have heard the learned advocates on both sides and have perused the case record. It is clear that out of five issues made by the trial court, issue No. 3 related to well has not been decided. The order of the Revenue Appellate Authority, Pali under challenge basically ask the trial court to decide this issue. We, therefore, find no reason to interfere with the order of the Revenue Appellate Authority, Pali in the instant case and, therefore, dismiss the appeal.

Pronounced.

(Hari Shankar Goyal)
Member

(Shikhar Agarwal)
Member