तारीख हुक्म	हुक्म या कार्यवाही मय इनिशियल्स जज **Appeal No. 3810/2004/TA/Bharatpur** **Mahendra Singh Vs. Sumera**	नम्बर व तारीख अहकाम जो इस हुक्म की तामील में जारी हुए
2.12.2019	**<u>Division Bench</u>** **Shikhar Agrawal, Member** **Surendra Maheshwari, Member** **<u>Present</u>**: Shri V.P. Singh : counsel for the appellant. Shri Ramsukh Chaudhary : Dy.Govt.Advocate for the State. - - - This is an appeal under section 225 of the Rajasthan Tenancy Act, 1955 challenging the order of Settlement Officer-cum-Revenue Appellate Authority, Bharatpur dated 27.3.2004 by which he has set aside the order of Assistant Collector, Roopwas dated 18.4.2002. The case was heard ex-parte as despite service of notice, the other side was absent. Learned advocate for the appellant has emphasized that a school exists on this piece of land from 1983 whereas the suit was filed in 1996. He has emphasized that his client was not made party and R.A.A. who had to decide about ejectment has gone beyond the brief and the prayer and has ordered for calculation of compensation to be paid. He has accordingly prayed that this order of R.A.A. needs to be set aside and his client needs to be given an opportunity of being heard. We have heard the arguments made and perused the case record carefully. After careful consideration of all relevant facts, we find it appropriate to set aside the order of Revenue Appellate Authority, Bharatpur dated 27.3.2004 and remand the case back to R.A.A. for hearing the parties against whom the order has been made and thereafter decide it keeping the prayer and law in mind. The appeal succeeds accordingly. Pronounced. (**Surendra Maheshwari)** Member (**Shikhar Agrawal**) Member	