

**IN THE BOARD REVENUE FOR RAJASTHAN, AJMER**

**Appeal /TA/5880/2004/Udaipur**

1. Devi Lal son of Ram Lal caste Dangi resident of Savina Tehsil Girva.
2. Om Prakash son of Ram Lal Dangi resident of Savina Tehsil Girva Distt. Udaipur.

....Appellants

Versus

Shri Thakur Ji Shyam Sunder Ji Taluk Devsthan Deptt., Sanyukta Bhandar Khand, Udaipur through Asstt. Devsthan Commissioner, Udaipur.

...Respondent.

**D.B.**

**Shri Shikhar Agarwal, Member  
Shri Satish Chandra Godara, Member**

**Present:-**

Shri Ajit Lodha, counsel of the appellants.

Shri O.P. Bhatt, Dy Govt Advocate for respondent.

-----

Date:.....

**J U D G M E N T**

This is an appeal challenging the order of Settlement Officer-cum-Revenue Appellate Authority, Udaipur dated 872004 by which he has dismissed the first appeal on the ground that the advocate has stated that he was not pressing the case further.

2. The learned advocate for the appellants has stated that they are on the affidavit to indicate that they have never stated that they are not pressing the case in the finding indicated by the Revenue Appellate Authority, therefore, is not correct.

3. The learned advocate for the respondent has stated that this contention is against the facts, therefore, the appeal has no substance.

3. We have heard the learned advocates of both the sides and perused the material before us carefully.

4. After careful consideration of the relevant material, we are of the opinion that the order of Settlement Officer-cum-Revenue Appellate Authority, Udaipur needs to be set aside. The case is,

therefore, remanded to Settlement Officer-cum-Revenue Appellate Authority, Udaipur for hearing on merits and deciding it within next six months. Both the parties are hereby directed to be present before the Settlement Officer-cum-Revenue Appellate Authority Udaipur on 28.2.2020.

Pronounced

(Satish Chandra Godara)  
Member

(Shikhar Agarwal)  
Member