

| Date of Order | Revision/LR/1342/2005/Bhilwara Sosi Vs. State | |
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| 16.11.2018 | <p style="text-align: center;"><u>S.B.</u></p> <p style="text-align: center;">Shri Rajinder Kumar, Member</p> <p style="text-align: center;">*****</p> <p>Present :</p> <p>Shri Surendra Sethi : counsel for the revisionist. Shri Pushendra Singh Naruka : Dy.Govt.Advocate for the State.</p> <p style="text-align: center;">- - -</p> <p style="text-align: center;"><u>JUDGMENT</u></p> <ol style="list-style-type: none">1. Heard learned counsels for the parties.2. Learned counsel for the revisionist has argued that the revisionist is the khatedar of the land bearing Khasra nos. 578/1, 578/2 and 578/3 whereas a demand notice for payment of Rs.52339/- has been issued by Tehsildar, Jahajpur against the revisionist in respect of conversion of land of Khasra no. 576/1. The revisionist has no concern with the land of Khasra no. 576/1 and this notice has been issued without giving any opportunity of hearing to her. Therefore, a prayer has been made to direct the respondent to pass the order afresh after giving opportunity of hearing to the revisionist and in the meantime, operation of the impugned orders dated 30.10.2004 and 01.3.2005 of Sub Divisional Officer, Jahahpur and Tehsildar, Jahajpur respectively may be stayed.3. Learned Dy.Govt.Advocate has submitted that this revision petition is not maintainable as the same has been filed against issuance of show cause notice only; however, an opportunity may be granted to the revisionist to submit her defence before the learned S.D.O., Jahajpur and if in the meantime recovery proceedings are stayed, he has no objection. | |

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| | <p>4. Having considered the aforesaid submissions and upon perusal of record, it is revealed that the revisionist is the khatedar of land bearing Khasra nos. 578/1, 578/2 and 578/3 whereas demand notice has been issued against her in respect of land of Khasra no. 576/1. It has been apprised that this demand notice has been issued without giving any opportunity of hearing to the revisionist.</p> <p>5. In view of the submissions made before me, the revision petition is partly accepted and a liberty is given to the revisionist to submit her stand in writing before the concerned revenue authority within a period of two months from today and thereafter the said authority shall decide the matter afresh in accordance with law within a period of four months from today. In the meantime, the recovery proceedings are stayed. If the revisionist does not submit her written response to the show cause notice within the stipulated period of two months, this revision petition shall be deemed to have been dismissed without further reference to this Board.</p> <p>Pronounced. Filed be consigned.</p> <p style="text-align: center;">(Rajinder Kumar) Member</p> | |