

तारीख हुक्म	हुक्म या कार्यवाही मय इनिशियल्स जज Appeal No. 1023/2006/LR/Jaipur Vinod Kumar Vs. State	नम्बर व तारीख अहकाम जो इस हुक्म की तामील में जारी हुए
25.10.2019	<p style="text-align: center;"><u>Single Bench, Jaipur</u> Shri Shikhar Agrawal, Member</p> <p><u>Present:</u></p> <p>Shri Subodh Jain : Counsel for the appellants. Shri Lokendra Singh : Deputy Govt. Advocate for respondents no. 1 & 2. Shri Hemant Sogani : counsel for respondent no. 4.</p> <p style="text-align: center;">- - -</p> <p>This is an appeal filed against the order of Revenue Appellate Authority, Jaipur dated 17.01.2006 by which the order of Additional Collector-IV, Jaipur has been upheld. The Additional Collector, Jaipur vide his order dated 26.02.2001 had cancelled the allotment order dated 20.6.1964 after hearing the concerned parties.</p> <p>The basic case made out in the appeal is that the appellant had been given khatedari rights and thereafter land has been sold multiple times. It has also been prayed that land in question is not within 10 miles and application to cancel allotment is extremely delayed.</p> <p>The Dy. Govt. Advocate on the other hand has indicated that the orders passed by the Trial Court and the Appellate Court are just & proper and in line with the recommendations of the Beri Commission. It has been submitted by him that the allotment was made to the wife of a Gram Sewak and no permission for allotment within 10 miles was taken, as required. It has also been indicated by him that Rameshwari Devi wife of the concerned Gram Sewak was given due notice which is available on record and that application under 14(4) was filed well within time and around three months from the time, the Beri Commission report was submitted.</p>	

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	<p>I have heard the advocates on both sides and perused the case record.</p> <p>This is clearly a case where the allotment was done to the wife of a Gram Sewak and the permission for allotment within 10 miles was not taken. The grant of khatedari rights ignoring these basic facts do not justify continuing of the allotment and if such cases are not handled properly as required by the law, it will send the wrong message that old wrongs are justifiable and shall not be rectified.</p> <p>In view of the above, I find it appropriate to dismiss the appeal.</p> <p>Pronounced.</p> <p style="text-align: right;">(Shikhar Agrawal) Member</p>	