

IN THE BOARD REVENUE FOR RAJASTHAN, AJMER

Appeal/TA/1463/2006/Nagaur

1. Shivkishan son of Poonam Chand caste Sunar resident of Deedwana Tehsil Deedwana Distt Nagaur.
2. Sharwan Kumar son of Poonam Chand caste Sunar resident of Deedwana Tehsil Deedwana Distt Nagaur.

Appellants

Versus

1. Bhagwan Nath Chela Neminath (deceased) presently residing at Jogamandi Deedwana Distt Nagaur through LR:-
1/1 Yogi Laxman Nath Chela Mahant Bhagwan Nath presently residing at Jogamandi Deedwana Distt. Nagaur.

Respondents

D.B.

**Shri Shikhar Agarwal, Member
Shri Ravi Dangi, Member**

Present:-

Shri Basant Vijaivargiya, counsel of the appellants
Shri Yogendra Singh, counsel for the respondent.

Date:07-02-2020

J U D G M E N T

This is an appeal challenging the order of Revenue Appellate Authority, Nagaur dated 72.2006, by which he has partly accepted the appeal and the order of the trial court dated 30.4.2003 has been set aside and the case has been remanded for fresh hearing.

2. The learned advocate for the appellants has stated that the order of the Revenue Appellate Authority, Nagaur to remand the case is wrong and if the land actually belongs to the temple, reference should have been made. He has claimed that the land has been bought legally and therefore, he is entitled to have all rights on it

3. The learned advocate for the respondent on the other hand stated that the Trial court should have examined few issues which have not been done in this case and the way the trial court has dismissed the case is not just and proper. It has, therefore, been argued

by the respondent that the case shall be heard by the Trial court afresh and all relevant issues decided upon.

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

4. After careful consideration of the relevant material, we are of the opinion that that the remand order of Revenue Appellate Authority, Nagaur under challenge is just and proper and trial court needs to be heard case afresh and decide all relevant issues clearly. The appeal is accordingly not entertained and is hereby dismissed.

Pronounced.

(Ravi Dangi)
Member

(Shikhar Agarwal)
Member