

तारीख हुक्म	हुक्म या कार्यवाही मय इनिशियल्स जज Revision No. 3400/2006/TA/Sriganganagar Amar Singh Vs. Angrej Singh	नम्बर व तारीख अहकाम जो इस हुक्म की तामील में जारी हुए
2.12.2019	<p style="text-align: center;"><u>Single Bench</u> Shikhar Agrawal, Member</p> <p><u>Present:</u> Shri Satbeer Singh : counsel for the petitioners. Shri Amrit Pal Singh : counsel for non-petitioners. - - -</p> <p style="text-align: center;">This is a revision under section 230 of the Rajasthan Tenancy Act, 1955 challenging the order of Revenue Appellate Authority, Sriganganagar dated 20.3.2006.</p> <p style="text-align: center;">The fact of the case is that one Mukhtyar Singh, resident of Sriganganagar had three sons and three daughters. One of his sons viz. Angrej Singh filed a suit in the court of Sub Divisional Officer, Sriganganagar.</p> <p style="text-align: center;">The learned advocate for the petitioners has argued that Board of Revenue has already set aside the mutation opened on the basis of will which has also been challenged in criminal case separately and has been proved to be concocted. He has argued that R.A.A. has wrongly granted rights on the basis of adverse possession and the will of ancestral property cannot be made the way it is claimed.</p> <p style="text-align: center;">The learned advocate for non-petitioners has emphasized that it is an admitted fact that his clients have will in their favour and it does not matter whether the will is registered or unregistered while deciding on two applications as possession is important. He has also emphasized that R.A.A. by mistake has written adverse possession in his order while he has decided the case on the basis of other facts.</p> <p style="text-align: center;">I have heard the learned advocates on both sides and perused the record carefully.</p>	

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	<p>After careful consideration of the arguments made and the material available on record, I am of the opinion that order of Revenue Appellate Authority, Sriganganagar dated 20.3.2006 needs to be set aside. The trial court is expected to decide the case within next six months so that this long pending dispute comes to a rest. The revision succeeds accordingly.</p> <p>Pronounced.</p> <p style="text-align: right;">(Shikhar Agrawal) Member</p>	