

**THE COURT OF FINANCIAL COMMISSIONER REVENUE  
(COMMISSIONER AGRARIAN REFORMS)  
JAMMU AND KASHMIR AT JAMMU**

FILE NO  
**653/FC-AP**

DATE OF INSTITUTION  
**05.02.2010**

DATE OF DECISION  
**06.01.2015**

- 1) KEWAL KRISHAN S/O PHEMA RAM R/O VILLAGE DATRIAL, TEHSIL AKHNOOR AND DISTRICT JAMMU;
  - 2) VIKASH CHANDER S/O AYODHIYA NATH R/O -----DO-----;
  - 3) VISHAL CHANDER S/O -----DO-----;
  - 4) KAMLESH KUMARI WD/O -----DO-----.
- (PETITIONERS)**

**VERSUS**

- 1) LEKH RAJ S/O BARI RAM R/O VILLAGE DATRIAL, TEHSIL AKHNOOR AND DISTRICT JAMMU;
  - 2) THORU RAM S/O -----DO-----;
  - 3) SATYA DEVI WD/O MILKHI RAM R/O -----DO-----;
- (RESPONDENTS)**

- 4) SAT PAUL S/O BARI RAM R/O VILLAGE DATRIAL, TEHSIL AKHNOOR AND DISTRICT JAMMU;
  - 5) KASTURI LAL S/O -----DO-----;
- (PROFORMA RESPONDENTS)**

- 6) TEHSILDAR AGRARIAN REFORMS, AKHNOOR;
- 7) SETTLEMENT OFFICER (WITH POWERS OF COLLECTOR) JAMMU;
- 8) JOINT SETTLEMENT COMMISSIONER, JAMMU AND KASHMIR.

In the matter of:

**Revision against the order dated 20.01.2010 passed by  
the Joint Settlement Commissioner, Jammu and**

**Kashmir wherein the revision petition filed by the petitioners herein has been dismissed upholding the order passed by the respondent No. 7 with regard to the land measuring 01 Kanal and 17 Marlas falling under Khasra No. 24 in the above stated village.**

For Petitioners --- Advocate C.M.Gupta  
For Respondent No.1-5 --- Advocate S.N.Gupta

### **ORDER**

- 1) This court has gone through the case file and observes with regrets that the petitioners even after a considerable lapse of time have not been able to put forth the factual matrix of the case. Amongst the documents that would have been significant, the petitioners have only provided the order passed by the Joint Settlement Commissioner. No revenue record has been supplied. As such, no reasons can be gathered as to how the courts below have dealt with the matter. The petitioners herein have made many contentions but no record is available which may prove their claims. Technically, one who asserts a claim has the obligation to provide sufficient facts and proof in support of his contentions. However, the petitioners have failed to do so. With the available information, therefore, it is not possible to frame the issues and decide the matter on merits.
- 2) In view of what has been observed above, this court holds that the petitioners have failed to establish the facts of the case. The revision is, therefore, dismissed. Nevertheless, the petitioners are at liberty to file a subsequent review petition with full facts and supportive proof.

No costs. Interim directions, if any, shall stand vacated. The case file be relegated to records after due completion.

**Sd/-**

**(Dr. Arun Kumar) IAS  
Financial Commissioner Revenue  
(Commissioner Agrarian Reforms)  
Jammu and Kashmir, Jammu**

Announced today on this the **06<sup>th</sup> day of  
January, 2015** under my hand and seal of  
this Court.