

**Before Shaleen Kabra, IAS, Financial Commissioner (Revenue) J&K /
Commissioner Agrarian Reforms, J&K**

File No.

1076/FC-AP

Date of Institution

06.09.2021

Date of Decision

01.06.2022

In Case titled:

1. Paramjeet Singh S/o Inder Singh R/o H. No 200, W. No 3, Govind Pura Satwari Jammu.
2. Jatin Singh S/o Inder Singh R/o H. No 200, W. No 3, Govind Pura Satwari Jammu.
3. Jeet Kour Wd/o Inder Singh R/o H. No 200, W. No 3, Govind Pura Satwari Jammu.

(...Petitioners)

Versus

1. Mohinder Kour D/o Bir Kour
2. Harbans Kour
3. Swaran Kour
4. Seema Chowdhary Daughters of Late Sher Singh All residents of Govind Pura H. No 202 Satwari Cantt.
5. Mutating Officer
6. Director Land Record with powers of Settlement Officer, Jammu.

(...Respondents)

7. Gurcharan Singh
8. Koiet Singh
9. Bikram Singh sons of Mohinder Singh
10. Mohinder Kour W/o Mohinder Singh All residents of H. No 202 Govind Pura Satwari Cantt Jammu.

(...Proforma Respondents)

In the matter of :-

Revision petition against the order passed on 18.01.2021 case titled Inder Singh through LR's V/s Mohinder Kour and Ors. by the Commissioner Survey and Land Records J&K with powers of Settlement Commissioner J&K Jammu.

ORDER

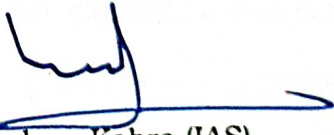
1. Briefly stated facts of the case are that mutation no. 116/jeem dated 09.12.2010 of estate Satwari, Jammu concerning the devolution of the landed property of one Bir Kour (predecessor-in-interest of private parties herein) came to be challenged by Inder Singh, one of the sons of said Bir Kour, before Regional Director Survey and Land Records Jammu, who vide order dated 28.11.2015 dismissed the appeal, against which order, the petitioners, who are the successors of Inder Singh, filed an appeal before the Commissioner Survey

& Land Records J&K. During the pendency of the appeal before the said court, in an application praying to keep the appeal pending on the ground that a civil suit is pending between the same parties on the same subject matter, Commissioner Survey & Land Records, however, vide order dated 18.01.2021 (impugned order) dismissed the case of the appellants.

2. In the order impugned, the subject matter is shown as "Application for keeping the appeal pending" but the words "case is dismissed" has been used in the text of the order and the file has been consigned to records. Thus, appeal has been dismissed though only application was considered.
3. Therefore, this impugned order is set aside and the matter referred back to Commissioner Survey & Land Records to hear the appeal filed by the petitioners against the order of Regional Director Survey & Land Records. Parties to appear before Commissioner Survey & Land Records on 28.06.2022. Interim Orders, if any, issued by this court to continue till the matter is heard by Commissioner Survey & Land Records.

Announced

01-6.2022


Shaleen Kabra (IAS)
Financial Commissioner, Revenue
J&K