

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

FILE NO.  
**178/FC-AP**

DATE OF INSTITUTION  
**17.01.2012**

DATE OF DECISION  
**09.12.2014**

1) BODH RAJ S/O MUNSHI RAM (GRAND SON OF LAKHO DEVI) R/O CHAK SAHWALI, TEHSIL AKHNOOR AND DISTRICT JAMMU.

**(PETITIONER)**

**VERSUS**

- 1) RAJ KUMARI W/O BHULLA RAM R/O MILLI KHUI, AKHNOOR JAMMU;
- 2) VIDYA DEVI W/O MOHAN LAL R/O CAMP KHOUR, AKHNOOR, JAMMU;
- 3) KANTA DEVI W/O SHANKER DASS R/O SAHWALI, AKHNOOR, JAMMU;
- 4) RAJI DEVI W/O JANAK RAJ R/O CHIPRAL, AKHNOOR, JAMMU;
- 5) DHARMO DEVI W/O MUNSHI RAM R/O CHAK SAHWALI, AKHNOOR, JAMMU.

**(RESPONDENTS)**

In the matter of:

**Revision against the order dated 18.01.1985 passed by the Naib Tehsildar, Khour on mutation No. 51 of village Chakla, Tehsil Akhnoor devolving the succession of Ladhu on Parsino Devi and Dharmo Devi with the prayer to set aside the same with a further prayer to set aside the order passed by the Settlement Commissioner Jammu and Kashmir.**

For Petitioner            --- Advocate Devinder Sharma

For Respondents        --- Nemo

## J U D G E M E N T

- 1) The summarised facts of the case are that one Bachru Ram S/O Balu was the owner of the land falling under Khewat No. 77 and 78 in village Chakla, Tehsil Akhnoor and District Jammu. After his death, the Naib Tehsildar, Khour attested mutation No. 51 on 18.01.1985 devolving his inheritance on two daughters, Dharma Devi and Parsino Devi.
- 2) Aggrieved, the petitioner herein has filed the present revision petition before this court challenging the impugned mutation on various grounds. It is alleged that he had earlier filed a revision petition before the Settlement Commissioner, Jammu and Kashmir which was dismissed in default. He applied for restoration of the same two times but the court below rejected his claim. However, the petitioner has not supplied any record in this behalf.
- 3) This court has gone through the case file and observes that the significant averment made by the petitioner is regarding a **“Will Deed”** which he claims to be executed by one Lakhu Devi, his maternal grandmother in his favour. However, the impugned mutation indicates that the same has been attested with regard to the estate of Bachru. A father died and his inheritance was devolved upon two daughters in the ordinary course of law. The said Lakhu Devi appears nowhere in the picture, although it appears from the xerox copy of the said **“Will Deed”** that she was the wife of Bachru. Anyways, the petitioner could have got the property of Lakhu Devi on the basis of the said **“Will Deed”**, had Lakhu Devi died after Bachru and accordingly, succeeded him. But her rights and interests with regard to the said land are not known to this court.
- 4) Obviously, the petitioner has failed to put forth the factual matrix of the case before this court. In addition, the petitioner herein has arrayed some persons as respondents whose status with regard to the disputed property is unknown. It is also not known as to how they are related to each other and the petitioner.

5) For the reasons discussed above, this court holds that the revision petition is devoid of merits and is, therefore, dismissed. Accordingly, the order dated 18.01.1985 passed on the impugned mutation is upheld. 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 **9<sup>th</sup> day of  
December, 2014** under my hand and Seal  
of this Court.