



In the Court of Additional Commissioner, Jammu  
(With the powers of Divisional Commissioner)  
(Rail Head Complex, Jammu)  
(0191-2478991, 2478999, Fax-2478997, e-mail: [divcomjammu@gmail.com](mailto:divcomjammu@gmail.com))

<u>File No</u>	<u>Date of Institution</u>	<u>Date of Decision</u>
LRA/0000000423/2022	17.10.2022	17.10.2022

1. Karam Chand S/o Shri Sita Ram caste Brahman R/o village Bhaiya, Tehsil Hiranagar, District Kathua  
....Petitioner

Versus

1. Sethi Ram 2. Sham Lal 3. Pawan Kumar 4. Rajinder Kumar & 5. Surinder Kumar alias Kaka all sons of Kartar Chand R/o village Gara a/p village Bhaiya Tehsil Hiranagar, District Kathua.
6. Ram Murti S/o Raj Kumar R/o village Bhaiya, Tehsil Hiranagar.
7. Pankaj Sharma S/o Baisakhi Ram R/o village Gara, Tehsil Hiranagar.
8. The Tehsildar, Hiranagar &
9. The Naib Tehsildar, Hiranagar.

....Respondents

In the matter of :- Revision against the order No. Nil dated Nil passed by the respondent No. 8 (The Tehsildar, Hiranagar) and against order bearing No. 519/NTH dated 31.12.2021 passed by the respondent No. 9 in an alleged proceedings in respect of demarcation of land comprising of khasra No. 414 situated at village Bhaiya Tehsil Hiranagar.  
Prayer for setting aside the aforesaid impugned orders.

ORDER

The present revision petition against the order No. Nil dated nil passed by the respondent No. 8 (Tehsildar Hiranagar) and against order bearing No. 519/NTH dated 31.12.2021 passed by the respondent No. 9 in respect of demarcation of land comprising of khasra No. 414 situated at village Bhaiya Tehsil Hiranagar has been transferred to this court by the Ld. Divisional Commissioner, Jammu. Ld. Counsel for the petitioner appeared and argued that the order passed by the Tehsildar Hiranagar is arbitrary and has been passed at the back of petitioner as no opportunity of being heard has been provided to the petitioner. The Tatima shajra prepared by the commission has not been signed by all the members of the commission. Tehsildar Hiranagar has not confirmed the demarcation. It was obligatory on the part of the Tehsildar (Assistant Collector 1<sup>st</sup> Class) to confirm the demarcation after providing the opportunity of being heard to the connected parties before passing any order.

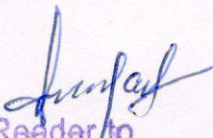
sd/-  
Addl Commissioner  
Jammu

I have gone through the record placed on the file and heard the arguments put forth by the Ld. Counsel. After careful consideration, it has been observed that the order under challenge does not bear number and date on the face of it and it does not seem to be the final order since Tehsildar Hiranagar has directed Naib Tehsildar, Hiranagar to submit the report whether the change of kind of soil which has already taken place and reflected in the revenue record has been done after seeking proper permission or not. The report of the commission is bearing the signatures of members, but the Tatima shajra has not been signed by members of the commission except the Patwari Halqa Bhaiya. Since final order is yet to be passed by the Tehsildar, Hiranagar, the revision petition is premature and is as such disposed of with the remarks that Tehsildar Hiranagar shall pass appropriate order strictly in terms of law governing the subject after affording the opportunity of being heard to the concerned parties and holding the proper enquiry as warranted under law before confirming the demarcation. Copy of the order along with paper book of the revision petition shall go to Tehsildar Hiranagar for appropriate action strictly in terms of law.

**Announced**  
**17.10.2022**

Sd/-  
**(Pawan Kumar Sharma) KAS**  
**Additional Commissioner, Jammu**  
[with the powers of Divisional Commissioner]

*Website*

  
Reader to  
Additional Commissioner  
Jammu