



In the Court of Additional Commissioner, Jammu

(With the powers of Divisional Commissioner)

(Rail Head Complex, Jammu)

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<u>File</u>	<u>Date of Institution</u>	<u>Date of Decision</u>
53/Revision 2020-21	26.02.2021	29.12.2021

Inhabitants of village Najwal Tehsil Pargwal District Jammu through Prem Singh Pawar S/o Baldev Singh R/o Najwal Tehsil Pargwal District Jammu

....Applicants

Versus

1. Balwan Singh Manhas S/o Sansar Singh R/o Najwal Tehsil Pargwal District Jammu
2. Sikandar Singh S/o Kaka Singh Chib R/o Village Jourian Tehsil Akhnoor District Jammu.

..... Non applicants

In the matter of: Application u/s 133 of the Land Revenue Act reads with Sec. of the Common Land Regulation Act, 1956 for ejecting the non-applicants from the land measuring 35 kanals falling in Khasra 859 situated in village Najwal, which is Shamlat land reserved for common purposes for co-sharers of said village, which has been encroached on by the non-applicants illegally and without any legal right.

ORDER

The present application has been filed by the applicant before Divisional Commissioner Jammu who vide order dated 15.02.2021 transferred the same to this court for further proceedings and disposal under law. Perusal of the application reveals that it has been filed under Section 133 of the Land Revenue Act read with the Common Land Regulation Act, 1956 for ejecting the non-applicants from land measuring 35 kanals falling in khasra No. 859 situated in village Najwal being reserved for common purposes of the co-sharers of the said village. Perusal of case file reveals that the applicant has not participated in the proceedings after filing the application on 15.02.2021, which was presented before the under signed on 16.02.2021 and thereafter he did not appear in the Court on any date of hearing. The non-appearance of the applicant evidently shows that the applicant has lost interest to prosecute the application before this Court. The matter brought before this court otherwise falls within the domain of Tehsildar. However, since the issue of encroachment of common land / Shamlat land has been raised in the application, it is deemed necessary to remit this case to the Court of Tehsildar Pragwal for further proceedings and disposal under law. Therefore the present application is disposed of and remitted to the Court of Tehsildar Pragwal for further necessary action and passing appropriate orders after summoning and hearing the interested parties. A copy of the order along with a copy of the application be sent to the Tehsildar Pragwal for the purpose. The stay granted by this Court if any shall stand vacated and the case file be consigned to records after due completion.

Announced
29/12/2021

sd/-
Pawan Kumar Sharma, JKAS
Additional Commissioner, Jammu
[with the powers of Divisional Commissioner]

g/c website
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