

In The Court of Commissioner, Saran Division, Chapra
B.L.D.R. appeal No. 59/2014
Meera Devi & Ors
Vrs.
Munshi Singh & others
ORDER

21.2.15.
The instant appeal is directed against the impugned order passed by DCLR, Siwan Sadar on 25.01.2014 in BLDR case No. 102/277/2013-14.

Heard the learned counsel for the parties, perused the records and impugned order. It appears that the dispute between the parties basically relates to determination of title and declaration of right over the disputed piece of land appertaining to various khatas and kheshra, situated in vill-pachrukhi of Siwan district and stated to be ancestral and khaliyani land of the parties. The nature of disputes in the instant appeal as pleaded by the learned counsel for the parties clearly indicates that such complex issue relating to ancestral and khaliyani land can not be decided under the provision of BLDR Act, 2009.

Thus, for the aforesaid reason and in view of the observation made in the recent Judgement of the Hon'ble High Court in CWJC No. 1091/2013, the competent authority should not have entertained the matter involving question of adjudication of title. As such the order dt. 25.01.2014 of DCLR Siwan Sadar is set aside and accordingly, this appeal is disposed of.

Dictated and Corrected by me.


Commissioner,
Saran Division, Chapra


Commissioner,
Saran Division, Chapra