
(1986) 06 RAJ CK 0004
In the Rajasthan High Court
Case No : Civil Writ Petition No. 971 of 1986

Moti Khan

APPELLANT

Vs

Board of Revenue for Rajasthan and Others

RESPONDENT

Date of Decision : 26-06-1986

Acts Referred:

Citation : (1986) WLN 331

Hon'ble Judges : A.K. Mathur, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Ashok Kumar Mathur, J.—The petitioner by this writ petition has challenged the order dated 4th November, 1985 (Annexure-5) of the Board of Revenue for Rajasthan at Ajmer.

2. A suit was filed by the petitioner with the allegation that the land bearing Khasra No. 120 measuring 27.3 bighas in village Pandukhan was his khudkast land and after the resumption of the Jagir he became the khatedar tenant. It is alleged that the petitioner mortgaged this land in favour of the respondents Nos. 2 to 5 in Samwat 2010 and the respondents entered into the possession of this land as a mortgager. It was stated that the amount of mortgaged money stood discharged upto Samwat 2015 and since then the respondents are trespassers. On this premise the petitioner sought ejectment of the respondents and claimed damages. The respondents denied the allegations and they asserted that they are khatedar tenant. The Sub-Divisional Officer decreed the suit of the petitioner by the judgment dated 10th November, 1975. The respondents went in appeal before the Revenue Appellate Authority and the Revenue Appellate Authority reversed the finding. Aggrieved against that the petitioner approached the Board of Revenue by filing as second appeal. The Board of Revenue after considering over the matter dismissed the suit of the petitioner. Aggrieved against the order of the Board of Revenue the petitioner has filed the present writ petition.

3. I have perused the impugned judgment of the Board of Revenue dated 4th November, 1985 (Annexure 5). After going through the judgment and after hearing the learned Counsel for the petitioner I think the Board of Revenue has correctly approached the matter and I do not find any error apparent on the face of the record so as to warrant any interference by this court.

4. Thus, in the result I do not find any merit in this writ petition. It is dismissed
No order as to costs.