

प्रेषक,

आयुक्त एवं सचिव,
राजस्व परिषद, उ०प्र०,
अनुभाग-4, लखनऊ।

सेवा में,

समस्त जिलाधिकारी,
उत्तर प्रदेश।

संख्या: जी-35/4-विविध 01/2018 (मानचित्रालय)

दिनांक-18 जनवरी, 2019

विषय-रिट-सी सं० 27204/2018, नन्दलाल एवं अन्य बनाम उ०प्र० राज्य व अन्य तथा रिट-सी सं० 22756/2018 राम धनी बनाम उ०प्र० सरकार व अन्य 04 में मा० उच्च न्यायालय इलाहाबाद द्वारा पारित आदेश दिनांक 22-11-2018 के समादर में नियमित तौर पर खसरा, खतौनी में नामांकन एवं भू-मानचित्र में संशोधन किये जाने के सम्बन्ध में।

महोदय,

उपर्युक्त विषय के सम्बन्ध में शासन के पत्र संख्या डब्लू 1517/एक-9-18-रा०/9 दिनांक 13-12-2018 (प्रति संलग्न) एवं पत्र संख्या रिट सं० 257/एक-2-18 दिनांक 28-12-2018 तथा पत्र संख्या डब्लू 1533/एक-9-2018 दिनांक 03-1-2019 (प्रति संलग्न) का संदर्भ ग्रहण करने का कष्ट करें जिनके द्वारा क्रमशः रिट याचिका संख्या रिट-सी सं० 27204/2018, नन्दलाल एवं अन्य बनाम उ०प्र० राज्य व अन्य तथा रिट-सी सं० 22756/2018 राम धनी बनाम उ०प्र० सरकार व अन्य में मा० उच्च न्यायालय इलाहाबाद द्वारा पारित आदेश दिनांक 22-11-2018 (प्रति संलग्न) के समादर में उ०प्र० भू-लेख नियमावली में विहित प्राविधानों के अनुसार नियमित तौर पर खसरा, खतौनी में नामांकन/प्रविष्टि एवं भू-मानचित्र में संशोधन/प्रविष्टि दर्ज किये जाने की अपेक्षा की गयी है।

2- आप अवगत हैं कि परिषदादेश संख्या डब्लू 131/4-विविध 01/2018 (मानचित्रालय) दिनांक 26-9-2018 द्वारा रिट-सी सं० 29430/2018, बरेन्द्र व अन्य बनाम स्टेट में मा० उच्च न्यायालय इलाहाबाद द्वारा पारित आदेश दिनांक 11-9-2018 के समादर में उ०प्र० भू-लेख नियमावली के सुसंगत प्राविधानों तथा उ०प्र० राजस्व संहिता 2006 की धारा-30, 32 एवं 38 के अन्तर्गत नक्शा, खसरा, खतौनी के अनुरक्षण एवं अभिलेखों में समस्त परिवर्तन/किसी गलती और लोप के सुधार से सम्बन्धित प्रकरणों का यथाशीघ्र निस्तारण करने हेतु जनपद एवं तहसील स्तरीय समस्त राजस्व अधिकारियों/कर्मचारियों को कड़े निर्देश निर्गत करने की अपेक्षा की गयी है।

3- इस सम्बन्ध में मुझे यह कहने का निदेश हुआ है कि परिषदादेश दिनांक 26-9-2018 में दिये गये निर्देशों के दृष्टिगत उपर्युक्त वर्णित रिट याचिकाओं में मा० उच्च न्यायालय, इलाहाबाद द्वारा पारित आदेशों का कड़ाई से अनुपालन सुनिश्चित करने के साथ ही कृत कार्यवाही से परिषद/शासन को भी अवगत कराने का कष्ट करें।

संलग्नक:-यथोक्त।

भवदीय,

(रजनीश गुप्ता)

आयुक्त एवं सचिव।

संख्या व दिनांक उपरोक्त।

प्रतिलिपि- निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित-

- 1-प्रमुख सचिव उ०प्र० शासन, राजस्व अनुभाग-2/9, लखनऊ को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।
- 2-समस्त मण्डलायुक्त उ०प्र० को इस अनुरोध के साथ प्रेषित कि उपरोक्तानुसार अधीनस्थ जनपदों को आवश्यक निर्देश निर्गत करने के साथ ही प्रभावी अनुश्रवण भी कराने का कष्ट करें।
- 3- चकबन्दी आयुक्त, उ०प्र०, सप्तम् तल, इन्दिरा भवन, लखनऊ को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

/

(रजनीश गुप्ता)
आयुक्त एवं सचिव।

6737
281218

मा० न्यायालय प्रकरण/महत्वपूर्ण
संख्या-4-1517/एक-9-18-रा०/9

प्रेषक,

आर०वी० सिंह,
संयुक्त सचिव,
उ०प्र० शासन।

सेवा में,

आयुक्त एवं सचिव,
राजस्व परिषद्, उत्तर प्रदेश,
लखनऊ।

राजस्व अनुभाग-9

लखनऊ: दिनांक: 13 दिसम्बर, 2018

विषय: रिट या० संख्या-27204/2018, नन्द लाल एवं अन्य बनाम उ०प्र० राज्य एवं अन्य के संबंध में।

महोदय,

उपर्युक्त विषयक रजिस्ट्रार जनरल, मा० उच्च न्यायालय, इलाहाबाद के पत्र संख्या-पीएस०(आरजी)/1634/2018 दिनांक 01-12-2018 (छाया प्रति संलग्न) का कृपया अवलोकन करने का कष्ट करें।

2.. इस संबंध में मुझे यह कहने का निदेश हुआ है कि कृपया प्रश्नगत प्रकरण में मा० न्यायालय के आदेश दिनांक 22-11-2018 के समादर में आवश्यक कार्यवाही सुनिश्चित कराते हुए कृत कार्यवाही से शासन को अवगत कराने का कष्ट करें।
लखनऊ, यथोक्त।

भवदीय,

(आर०वी० सिंह)
संयुक्त सचिव।

7220
17/12/18
27204/2018-4
आयुक्त-3

17-12-18

स० ५-५

W

18-12-18

Part on file

17/12

So 4
1227
19-12-18

W-1511/2018-18

संख्या.....

1672

/पी.एस.आर./2018

पिस सी 10/11-2

✓

05-12-18
(विवेक किशोर)
निजी सचिव

प्रमुख सचिव, राजस्व विभाग
उत्तर प्रदेश शासन।



From:

I/c Registrar General
High Court of Judicature at
ALLAHABAD

To:

1. The Chief Secretary
Government of Uttar Pradesh
LUCKNOW

✓ 2. The Principal Secretary (Revenue)
Government of Uttar Pradesh
LUCKNOW

Dated: December 01, 2018

No. PS (RG) / 1634 / 2018 : Allahabad

Subject: Writ-C No. 27204 of 2018 – Nand Lal @ Nand Kumar & another Vs. State of U.P. & 05 others

Sir/Madam,

In the above mentioned case, the Hon'ble Court (Hon'ble Siddhartha Varma, J.) vide order dated 22.11.2018, has been pleased to direct as follows:

“.....
Let a copy of this order be sent to the Chief Secretary, Revenue Secretary and all the District Magistrates of all the Districts of Uttar Pradesh through the Registrar General of the High court so that a direction may be issued to all the Lekhpals and the Tehsildars that they may fill the khasras and the khatuanis regularly as per the provisions of the U.P. Land Record Manual. The Maps may also be rectified from time to time.
.....”

A copy of the order dated 22.11.2018 is enclosed herewith for strict compliance.

Yours faithfully

✓
I/c Registrar General

Encl: As above

Copy to:
Registrar (Civil), High Court, Allahabad for placing the same on record.

I/c Registrar General

ARO/RO (विभागीय)
कोर्ट के कार्रवाई के लिए
निदेश जारी किए गए हैं
L के लिए
युनिक कोर्ट के लिए

✓
06/12/18

023/vsc/18

JS (R)

6-12-18

75/8512/18
50-9

12-18

रजि. सी. (वि. वि.)

सुप्रीम कोर्ट

जि. वि. वि.

प्र. शासन

by Email.

संख्या-रिट सं०-257/एक-2-18

प्रेषक,

सुधीर सिंह चौहान
विशेष सचिव,
उ० प्र० शासन।

Cr6
21-2019

5.17
04.11.19

सेवा में,

1. आयुक्त एवं सचिव,
राजस्व परिषद, उ० प्र०
लखनऊ।
2. समस्त जिलाधिकारी,
उत्तर प्रदेश।

रु. ६४३१.५१

राजस्व अनुभाग-2

लखनऊ: दिनांक: 28 दिसम्बर, 2018

विषय: रिट (सी) सं०-22756/2018 राम धनी बनाम राज्य एवं अन्य में पारित
आदेश दिनांक 22 नवम्बर, 2018 के अनुपालन के संबंध में।

महोदय,

उपर्युक्त विषयक रिट (सी) सं०-22756/2018 राम धनी बनाम राज्य एवं
अन्य में पारित आदेश दिनांक 22 नवम्बर, 2018 की छायाप्रति संलग्नक सहित
संलग्न कर प्रेषित करते हुए मुझे यह कहने का निदेश हुआ है कि कृपया उक्त
निर्णय में निम्नलिखित आपरेटिव अंश का कड़ाई से अनुपालन सुनिश्चित कराने का
कष्ट करें:-

"-----Let a copy of this order be sent to the Chief Secretary, Revenue
Secretary, and all the District Magistrates of all the Districts of Uttar
Pradesh through the Registrar General of the High Court so that a
direction may be issued to all the Lekhpals and the Tehsildars that they
may fill the Khasras and the Khatuanis regularly as per the provisions of
th U.P. Land Record Manual. The Maps may also be rectified as and
when there are changes.... "

संलग्नक-यथोक्त।

भवदीय,

(सुधीर सिंह चौहान)
विशेष सचिव।

श्री नरेन्द्र
31/11/18

अनुभाग-2

अनुभाग-4

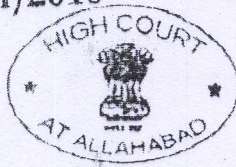
31/11/19

RE 240-257/25-2-18

कोर्ट केस/तत्काल

AA 17800

No. 2635/MS/WRIT/2018



ज. मु. स. राजस्व/camp cell

From:

I/c Registrar General
High Court of Judicature at
ALLAHABAD

To:

1. The Chief Secretary
Government of Uttar Pradesh
LUCKNOW
2. The Principal Secretary (Revenue)
Government of Uttar Pradesh
LUCKNOW

03-12-18

(पीसी प्रकाश)

विशेष सचिव एवं स्टाफ जलिकार
राजस्व विभाग
उत्तर प्रदेश शासन

No. PS (RG)/1635/2018 : Allahabad

Dated: December 01, 2018

Subject: Writ-C No. 22756 of 2018 – Ram Dhani Vs. State of U.P. & 04 others

Sir/Madam,

In the above mentioned case, the Hon'ble Court (Hon'ble Siddhartha Varma, J.) vide order dated 22.11.2018, has been pleased to direct as follows:

"....."

Let a copy of this order be sent to the Chief Secretary, Revenue Secretary and all the District Magistrates of all the Districts of Uttar Pradesh through the Registrar General of the High court so that a direction may be issued to all the Lekhpals and the Tehsildars that they may fill the khasras and the khatuanis regularly as per the provisions of the U.P. Land Record Manual. The Maps may also be rectified as and when there are changes.

"....."

A copy of the order dated 22.11.2018 is enclosed herewith for strict compliance.

Encl: As above

Copy to:
Registrar (Civil), High Court, Allahabad, for placing the same on record.

Yours faithfully

[Signature]
I/c Registrar General

I/c Registrar General

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD
CIVIL SIDE
ORIGINAL JURISDICTION

DATED ALLAHABAD THE :22.11.2018

PRESENT

THE HON'BLE SIDDHARTHA VARMA,..... JUDGE.

CIVIL MISC. WRIT PETITION NO.22756 OF 2018

ORDER ON THE PETITION OF RAM DHANI

.....Petitioner.

IN RE:

Ram Dhani son of Balku
Resident of village Sardarganj, Tappa Bela, Paragana Bela Daultabad, Tehsil
Menh Nagar District Azamgarh.

.....Petitioner.

VERSUS

- 1.State of U.P. through its Principal Secretary (Revenue) U.P. Government at Lucknow.
- 2.Additional Commissioner (Judicial), Azamgarh, District Azamgarh.
- 3.Up-Jiladhikari, Menh Nagar, Tehsil Menh Nagar, District Azamgarh.
- 4.Land Management Committee through its Chairman Gaon Sabha Sardarganj, village Sardarganj, Tehsil Menh Nagar, District Azamgarh.
- 5.Kanta son of Tuni, Resident of village Sardarganj, Tappa Bela, Paragana Bela Daultabad, Tehsil Menh Nagar, District Azamgarh.

.....Respondents.

Counsel for the Petitioner : Sri Dinesh Kumar Pandey, Sri R.C. Singh,
Sri A.K. Pandey

Counsel for the Respondents : C.S.C., Sri Madan Mohan Srivastava,
Sri Ramesh Chandra Upadhyay.

BY THE COURT

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↑

Court No.37

Case :- WRIT - C No. - 22756 of 2018

Petitioner :- Ram Dhani

Respondent :- State Of U P And 4 Others

Counsel for Petitioner :- Dinesh Kumar Pandey

Counsel for Respondent :- C.S.C., Madan Mohan
Srivastava, Ramesh Chandra Upadhyay

Hon'ble Siddhartha Varma, J.

This writ petition has been filed by the petitioner challenging the order dated 2.5.2018 passed by the Additional Commissioner (Judicial), Azamgarh Region, Azamgarh in Revision No.47/49/70/84/94/A (Computerised No.C-2014150000419) and the order dated 26.12.2013 passed by the Up-Ziladhikari, Meh Nagar, District Azamgarh under section 123(1) of the U.P. Zamindari Abolition and Land Reforms Act, 1950 (hereinafter referred to as the 'Act').

Plot No.744 area .0390 situate in village Sardarganj, Tehsil Meh Nagar, District Azamgarh became the bone of contention between the petitioner and respondent no.5 when on 26.12.2013 an order was passed by the Revenue Authorities settling the abovementioned plot on the respondent no.5. The petitioner filed a Revision which was numbered as 94-A of 2014. This revision was decided on the basis of a report dated 5.8.2015.

Learned counsel for the petitioner submitted that when the petitioner was in possession over the plot in question, then the

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therefore, the impugned orders were wrongly passed. He submitted that all the reports submitted by the Revenue Authorities went to indicate only one fact and that was that the petitioner was in possession over the plot in question.

Learned Standing Counsel, however, in reply, submitted that the report as was submitted by the Revenue Authorities went to indicate that the private respondent no.5 alone was in possession and, therefore, the orders were correctly passed.

Having heard learned counsel for the parties, I am of the view that in the Act, the only machinery provided for concluding as to whether a person is in possession over an agricultural plot either of a Bhumidhar or of the Gaon Sabha, was by looking into the entries made under the U.P. Land Record Manual and, therefore, no machinery has been provided for adjudication without taking the help of the Khasra entries as to who exactly was in possession over the property in question.

In 2011 (2) ADJ 878 (*Ram Das and Others vs. Munna Lal and Others*) when accrual of rights under the Indian Forest Act, 1914, of various settlers/occupiers of forest land was being considered, this Hon'ble Court observed that if a right of certain occupier vis-a-vis the forest authority was concerned then the forest authorities could have looked into the matter but if two individuals claimed right over some forest land then they had to approach the proper court for declaration of their rights and title, either under the general law or under the relevant land law.

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The relevant paragraph of the judgement and order dated

28.01.2011 is being reproduced here as under:-

"I am of the considered opinion that since there is an inter se dispute of title between two private persons over a plot of land, qua which an order under Section 11(2)(i) (2) has been passed by the Forest Settlement Officer, there can be no adjudication of title dispute on an appeal under Section 17 of the Act, 1927.

The parties have to be relegated to the remedy available under the U.P.Z.A. & L.R. Act or under the common civil law. The Act, 1927 cannot be extended to include within its ambit title dispute over the property which are excluded from the Act only because at a particular point of time a notification under Section 4 was issued qua the plots.

It may be clarified that inter se dispute of title claimed in respect of land which continues to be covered under notification under Section 4 can always be adjudicated by the Settlement Officer Consolidation and thereafter in appeal under Section 17. The judgment in the case of Hon'ble Supreme Court in the case of Mahendra Lal Jaini (supra) is applicable in such cases only.

In view of the aforesaid, this Court finds that it is not necessary to enter into the issues, as to whether a review application was maintainable or not or as to whether the first order of the Appellate Authority declaring one of the parties as Bhumidhar was legally justified or not, inasmuch as Bhumidhari rights in respect of a plot of land, which is excluded from the notification under Section 4 of the Act, 1927 vide an order under Section 11(2)(i), can only be agitated and examined by the competent revenue court under the U.P.Z.A. & L.R. Act or by the competent civil court, as the case may be.

Accordingly, this Court feels that setting aside of the order passed on review application, under challenge in the present writ petition, would have the effect of restoring another illegal order of the Appellate Authority declaring the petitioner as the Bhumidhar. Therefore, in the larger interest of justice it is provided as follows:

The petitioner and respondents are at liberty to get their rights declared over the plots by approaching the revenue court under the U.P.Z.A. & L.R. Act or the competent civil court, as they may be advised. Order passed under the

Act by the Appellate Authority or for that purpose by the Forest Settlement Officer, insofar as it pertains to the inter se dispute of Bhumidhari rights over the plot in question, shall not be binding upon any of the parties.

Writ petition is disposed of subject to the observation made above."

(emphasis supplied)

In the instant case also when two villagers were claiming possession over Gaon Sabha land then the Administrative Authorities could not have adjudicated as to who was in possession in the absence of Khasra entries and, therefore, the proper course open for the petitioners was to approach the Civil Court or the relevant Court under the Land Laws for getting their rights adjudicated. Thus, the petitioners cannot be given any relief by this Court. The writ petition is thus, accordingly, dismissed.

However, before parting, this Court is definitely of the view that certain directions should be issued to the Revenue Authorities with regard to the maintenance of Revenue Records as it feels that without the Revenue Records, the Revenue Authorities cannot provide the benefits which accrue to various villagers on account of possession. Administrative Authorities pass orders with regard to possession either under section 123 or under section 122-B (4F) of the Act or under the various provisions contained in the U.P. Revenue Code, 2006, without relying on entries made in the Khasras. In fact conclusions with regard to possession are being drawn on the basis of reports submitted by various Authorities. This is patently a wrong

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approach, specially when the State of Uttar Pradesh has the Land Record Manual which guides as to how Khasras and Khataunis are to be prepared.

In Paragraphs A-55 to A-62 of Chapter A-V of the Land Record Manual, a complete guide as to how Maps are to be corrected and how khasras are to be filled has been provided.

They are being reproduced here as under:-

A-55 Inspection Tours. – The maintenance of the map and the khasra is prescribed by Section 28 of the U.P. Land Revenue Act, 1901. In order to maintain the map and the khasra, which is a field book, the Lekhpal shall make thrice field to field inspections every year of every village in his halka. The tours shall begin respectively on 10th August, 1st January and 15th May. The first, second and third tours shall be completed on 25th September, 15th February and 31st May respectively.

A-56 Copy of map for correction. – The Lekhpal shall not record any changes on the copy of the map supplied to him at the last survey or after consolidation of holdings. He shall ordinarily make a tracing from this map for the purpose of recording changes, but where the map have been printed, he may obtain a printed copy for this purpose. The map for recording changes may be used year after year until it becomes unserviceable, either through wear and tear, or through a large number of alterations. When it has become unserviceable, the Lekhpal shall, under the orders of the [Bhulekh Nirikshak] prepare from it a new map showing the field boundaries as they exist and omitting those that have disappeared. The old map shall be deposited by the Lekhpal with the Registrar Kanungo after the [Bhulekh Nirikshak] has signed the new map in token of his test.

A-57. Correction of Map. – (i) During each inspection tour the Lekhpal shall compare the field one by one with his map and shall note thereon or changes in field boundaries and other alterations after making necessary measurements. Changes may be shown in the field in pencil but must afterwards be made in red ink. When a field is found to have

been divided into two or more portions, he shall give a separate number to each portion, writing the original number as numerator and the fractional number as denominator; but if these portions are in the cultivatory possession of one and the same person under the same class of tenure they need not be given separate numbers, the divisions being shown in this case by dotted lines only. If field bearing fractional numbers are against united so as to form a plot as it existed at the last survey or consolidation operations the fractional number will be omitted and the original number of the field restored.

(ii) If extensive survey operations are required at any time in order to correct the map in any village, the Lekhpal shall apply to the [Bhulekh Nirikshak] for the use of the necessary instrument, and for such assistance as may be required. Such applications should be made not later than 31st October, in the year when the necessity arises. In carrying out survey instructions given in the " Rules and Instructions for Survey of Villages should *mutatis mutandis* be followed.

Note. — The Collector may dispense with the annual correction of field maps in the case of any alluvial portion of a village, if satisfied the extent and character of the changes annually recurring making the strict observance of the rule unduly burdensome. In such cases an entirely new map and khasra must be prepared once in eight years.

A-58 Lekhpal's knowledge of survey. — All Lekhpals must keep up their knowledge of survey. If any Lekhpal is reported to be deficient in that knowledge by any officer not below the rank of a Tahsildar he may be required to pass a test in the subject, after being allowed such period of grace as the Collector may think fit.

A-59. Date of completing map. — (i) The correction of map shall be completed and the alterations inked by 30th April.

(ii) In villages where the shape and position of the field boundaries are liable to frequent changes, the Collector may dispense with the inking of the changes shown on the map.

A-60. Preparation of khasra. — (i) The khasra shall be prepared in Form No. P-A-3 given below:

(ii) Columns 1 to 5 shall be written up before the first tour; 7 to 9 during the first; 10 to 12 during the second tour; 13 to 15 during the third tour; entries in

8

7
column 6 shall be made during each of the three tours as conditions may require; the rest of the columns shall be written up as early as possible after the third tour.

(iii) The Lekhpal is responsible for the accuracy of all entries and must satisfy himself of the facts by inquiry from the persons concerned, as well as by field inspections.

(iv) The khasra shall be completed by 30th April. It shall be bound in volumes containing each about 100 leaves. After compilation of the khasra the Lekhpal shall cross out columns 4, 5, 20 and 21 against all the fields where they have remained blank. The khasra shall be retained by the Lekhpal for one year, and it shall be filled with Registrar Kanungo on or before 31st July of the following year.

A-61 One or more khasras for a village. - (i)

There will be a separate khasra for each village. When there are two or more Lekhpals using one map, a copy shall be applied to each, who shall write up a separate khasra for the numbers assigned to him. Where in alluvial villages the alluvial portion has been numbered separately from the rest, a separate khasra shall be prepared for the alluvial portion.

(ii) If there is any area in the village to which U.P. Zamindari Abolition and Land Reforms Act, 1950, does not apply, a separate khasra shall be prepared for such area according to the rules contained in Chapter V. Against each field included in such area columns 2 to 10 shall remain blank; in the column for remarks it shall be noted that the Zamindari Abolition and Land Reforms Act, does not apply to it. Where there are several successive fields to which the Act does not apply, it is sufficient to record them in one entry in column 1, e.g., 53. A separate line for each field need not be given.

(iii) Occasionally "intermixed village" are met with, that is, two or more villages of which the lands are so intermixed that the whole area is to be included within the *haddast*. The lands, however, or each village constitute a separate village and there may be more than one lekhpal for such villages. In such cases each Lekhpal should have a copy on the map of the whole *haddast* area, but should maintain it and a khasra only in respect of the field belonging to his village. The Khatuani, and other records should be confined to the lands included in each village.

A-62. Entries how to be made. - Entries in the khasra shall be made in accordance with the actual facts according to the instruction contained in the following paragraph.

Under such circumstances, I feel that no Court can adjudicate as to who was in possession over any property whatsoever. The Revenue Authorities, whose orders are under challenge, also ought to have relied only upon the revenue entries in the Khasras and should not have relied upon various reports give by various Revenue Authorities.

Under such circumstances, I am of the definite view that the petitioner cannot be given any relief by this Court. He will have to avail the remedy of filing a declaratory Suit before the Civil Court or the relevant Court under the land laws for redressal of his grievance. I, therefore, do not propose to interfere in this writ petition. However, a direction is being issued to the State Government that Khasra entries should be regularly and religiously filled in by the Revenue Authorities, namely, the Lekhpals and the Tehsildars thrice every year. The Maps should also be corrected by incorporating any change whatsoever. If entries are made properly in the Revenue Records then there would be absolutely no occasion for any villager to say that he had been in possession over the Gaon Sabha land before a certain cut off date and not somebody else.

Further mote, if in any particular Fasli year wrongful possession is found then the Gaon Sabha and the State

Authorities should take action under Section 67 of the U.P. Revenue Code immediately, unless, of course, they want the illegal occupant to continue. If they allow the down trodden villager to continue to live on their own land then it is a different matter. But this much, the State Authorities should ensure that the correction of Maps, khasra entries and entries in the khataunis are done regularly. If any objection is made to any entry then it should also be addressed.

Let a copy of this order be sent to the Chief Secretary, Revenue Secretary and all the District Magistrates of all the Districts of Uttar Pradesh through the Registrar General of the High court so that a direction may be issued to all the Lekhpals and the Tehsildars that they may fill the khasras and the khatuanis regularly as per the provisions of the U.P. Land Record Manual. The Maps may also be rectified as and when there are changes.

The writ petition is, accordingly, consigned to the record.

Order Date :- 22.11.2018
GS

sd. Siddhartha Varma, J.
(Siddhartha Varma, J.)

Compared by
L. Patel
30/11/18
RO

TRUE COPY

By the
Assistant Registrar
Copying 'A' Section
High Court Allahabad
30/11/2018

G-25
08-11-19

वस्त्रपुर्ण/कोर्ट/केस

महत्वपूर्ण/कोर्ट केस/समयबद्ध
संख्या- डब्लू-1533/एक-9-2018

W-1533/एक-9-2.

प्रेषक,

आर0वी0सिंह
संयुक्त सचिव,
उत्तर प्रदेश शासन।

सेवा में,

आयुक्त एवं सचिव,
राजस्व परिषद्, उत्तर प्रदेश, लखनऊ।

लख. डब्लू-1533/एक-9-2018
7/11/19

9/11/19

राजस्व अनुभाग-2

लखनऊ: दिनांक 03 जनवरी, 2019

विषय:- रिट-C संख्या-22756/ 2018 " राम धानी बनाम उत्तर प्रदेश सरकार व"अन्य 04"के संबंध में।
संबंध में।

महोदय,

कृपया उपर्युक्त विषयक रजिस्ट्रार जनरल, मा0 उच्च न्यायालय इलाहाबाद के पत्र संख्या-PS (RG)1635/2018 लखनऊ दिनांक 01 दिसम्बर, 2018 का अवलोकन करने का कष्ट करें, जिसके माध्यम से यह अवगत कराया गया है कि मा0 उच्च न्यायालय के आदेश दिनांक 22.11.2018 के अनुपालन की अपेक्षा की गयी है।

2- उक्त वाद में मा0 उच्च न्यायालय द्वारा दिनांक 22.11.2018 को निम्नवत आदेश पारित किये गये हैं:-

".....

Let a copy of this order be sent to the Chief Secretary, Revenue Secretary and all the District Magistrates of all the Districts of Uttar Pradesh through the Registrar General of the High Court so that a direction may be issued to all the Lekhpals and the Tehsildars that they may fill the khasras and the Khatuanis regularly as per the provisions of the U.P. Land Record Manual. The Maps may also be rectified as and when there are changes.

"....."

3- इस संबंध में मुझे यह कहने का निदेश हुआ है कि कृपया मा0 उच्च न्यायालय के उपर्युक्त आदेश के क्रम में प्रश्नगत प्रकरण में कार्यवाही कराते हुए कृत कार्यवाही की अनुपालन आख्या से शासन को अवगत कराने का कष्ट करें।

संलग्नक-यथोपरि।

भवदीय,

(आर0वी0सिंह)

संयुक्त सचिव

141-50-41/19
7/11/19

7/11/19