

1/16 ✓

IN THE COURT OF COMMISSIONER, CONSOLIDATION, ODISHA
CUTTACK

R. C. No- 04 /2018

1/18

Dambarudhar Jena

Petitioner

Vs.

Prafulla Kumar Jena & others

Opp. Parties

INDEX

Sl. No.	Description	Pages
01.	Revision Petition	1 to 3
02.	Copy of Hal ROR No. 255	4 to 7
03.	Copy of Hal Map	8-9
04.	Copy of RSD dated 20.1.75	10-12
05.	VAKALATNAMA	

CUTTACK

Date: 5-1-18

By the Petitioner through


Advocate

IN THE COURT OF COMMISSIONER CONSOLIDATION, ODISHA
CUTTACK

R. C. No- 04 /2018

IN THE MATTER OF

An application under sec - 37 (1) of OCH & PFL Act.

AND

IN THE MATTER OF

Dambarudhar Jena, aged 65 years
S/o Late Bhikari Jena
Vill- Jamara, Po- Dhola, Via- Kuturang,
Ps- Nikirai, Dist- Kendrapara

..... Petitioner

Vrs

1. Prafulla Kumar Jena
2. Prasad Kumar Jena
3. Prasant Kumar Jena

All are S/o Late Narayan Jena
Vill- Jamara, Po- Dhola, Via- Kuturang
Ps- Nikirai, Dist- Kendrapara

..... Opp. Parties

The humble petition of the above
named petitioner

Most Respectfully Sheweth;

1. That the petitioner in this case has challenged the illegal preparation of finally published Consolidation Map in respect of the schedule land given hereunder and has prayed to correct the same as per Sabik map, purchase and possession.
2. That admittedly the disputed land given in schedule below was originally recorded in the name of one Hari Jena in Sabik ROR Khata No. 440 and after the death of Hari Jena his only daughter and legal heir

Champa sold A 0.16 of area in favour Maheswar Jena, Dambarudhar Jena and Panchanan Jena S/o Bhikari Jena vide RSD No. 494 dated 20.1.75 and thereafter in 1976 said Champa also sold balance area in favour of the mother of Opp.Parties namely Bhagyabati Dei, who is now dead.

- 3. That during consolidation operation there was an amicable family settlement between the brothers of the petitioner, which was acted upon by the consolidation authorities below and accordingly the final consolidation ROR has been prepared separately and published in the name of petitioner. (deed)
- 4. That it is submitted that even though the area has been correctly mentioned in Hal ROR, in Hal Map about Ac 0.040 has been reduced and merged in the land of Opp.Parties although the petitioner is in possession of the area as per purchase.
- 5. That it is stated and submitted that the petitioner is illiterate, rustic persons working in the agricultural field in the village for livelihood and the petitioner and have no knowledge about preparation of map, they believed in good faith that since the Hal ROR is correctly prepared, Hal map might have been prepared correctly by the authorities below..
- 6. That in the second week of December 2017 when the petitioner wanted to demarcate the disputed land and demarcated through Amin he found that an area about A 0.040 is reduced in Hal map and merged in the land of Opp.Parties and immediately filed the present revision for correction of Hal map in respect of the case land.
- 7. That under the aforesaid fact and circumstances it is necessary for the interest of justice that the Hal Map may be corrected in respect of the disputed land according to Sabik map and possession.

PRAYER

The petitioner, therefore, prays that this Hon'ble court may be graciously pleased to admit the revision, call for the records and after hearing the parties direct to correct the Hal Map in respect of the disputed land according to purchase and possession.

And for this act of kindness the petitioner shall as in duty bound ever pray.


B.K. NAYAK
NOTARY
CUTTACK TOWN

Cuttack

Date-

By the petitioner through

[Signature]
Advocate

SCHEDULE

Dist- Cuttack, Ps/Tahasil- Kendrapara, Mouza- Jamara

Hal Khata- 255, Plot- 1050 Ac 0.160 corresponding to Sabik Khata- 440
Plot- 869 Ac 0.16 out of A 0.31

VERIFICATION

I, Dambarudhar Jena, aged about 65 years, S/o Late Bhikari Jena, Vill- Jamara, Ps- Nikirai, Dist- Kendrapara do hereby solemnly verify and state that I am petitioner in this case and the facts stated in this revision are true to best of my knowledge and belief and I have signed this verification today i.e. day of ~~December~~ ^{January} 2018 being present in court premises.

Cuttack
Date- 4-1-18

[Signature]
Verificant



AFFIDAVIT

I, Dambarudhar Jena, aged about 65 years, S/o Late Bhikari Jena, Vill- Jamara, Ps- Nikirai, Dist- Kendrapara do hereby solemnly affirm and state as follows;

1. That I am the petitioner in this revision.
2. That the fact stated in this petition is true to my knowledge, which I believe to be true.



Identified by
04/01/18

[Signature]
Advocate's Clerk
4-1-18

[Signature]
Deponent

The deponent being identified by A.K. Jena Adv. Clerk Swear on oath & solemnly affirms before me on 04/01/18 that the facts stated are true to his / her knowledge.

[Signature]
Notary for Cuttack Town
GOVT. OF ORISSA

Assistant Consolidation Officer
Kendrapara Taluk



ଖଣ୍ଡ - 4 -

ଠିକଣା-୧
୧୫୩୦୯

୦୧୧୧-୧୦୨

ଶିଳା ନିମାତା
ଶାମ ନୌନ୍ରାତା
ଶାମ ସୁର ୧୨୪

ଶୈଳ ନୌନ୍ରାତା
ଶୈଳ ସୁ
ଶାମ ନିମାତା

୧ । ଶାସନର ଶିର ସୁର

୨ । ଶୈଳର ଶାମ ଓ ଶୈଳର ଶାସନର ସୁର

୩ । ଶୈଳର ଶାମ, ଶିଳା ଶାମ, ଶାମ ଓ ଶାସନର

୨୪୪ ଭୈଳା ନିମାତାକୁ ଅଧିକାର କରିବାକୁ ନିମ୍ନ
ନାମ କରାଯାଇଛି: ନିମ୍ନ

୧ । ସୁ	୨ । ସୁ			୩ । ସୁ	
କମର	କୋଠା	ସୁର	ସୁର ସୁର ଓ କୋଠା ସୁର କୋଠା ସୁର	କୋଠା	
ଶିଳା ନିମାତା ଅଧିକାରୀ ଶାମ ନିମାତା କୋଠା ସୁର	୧୩୪.୦୦	୧୧୧୦.୦୦		୧୩୪.୦୦	ଶିଳା ନିମାତା କୋଠା ସୁର

୨ । ଶାସନର ଶିର ସୁର

Certified to be an extract of the record of rights with
held for the purpose of the record of rights with
section 22 of the Land Revenue Act 1952
provision of registration of land Act 1952
finality provided on 22.4.94 in accordance with
the provision contained in sub-section (3) of the said
section read with rule 26 of the Orissa consolidation
of Holdings and Fragmentation of Land Rules, 1973
The settled rate & cess and its effect from 1.4.95

Assistant Consolidation Officer
Bhubaneswar

(କେଉଁ ଗୋ)

୧୦ ନମ୍ବର	୧୧ ନମ୍ବର ଓ ୧୨ ନମ୍ବର ମଧ୍ୟ		୧୩ ନମ୍ବର	୧୪ ନମ୍ବର	୧୫ ନମ୍ବର		୧୬ ନମ୍ବର	୧୭ ନମ୍ବର	୧୮ ନମ୍ବର
	୧୧ ନମ୍ବର	୧୨ ନମ୍ବର			୧୫ ନମ୍ବର	୧୬ ନମ୍ବର			
					୨	୨	୨	୨	
					୨୮୩	୨୮୩	୨୮୩	୨୮୩	
					୨୮୩	୨୮୩	୨୮୩	୨୮୩	
					୨୮୩	୨୮୩	୨୮୩	୨୮୩	

Certified to be an extract of the record of rights which has been finally recorded under the provisions of section 20 of the Consolidation of Holdings Act 1952 and prevent the fragmentation of land. The provision contained in sub-section (2) of the said section read with rule 26 of the consolidation of Holdings and fragmentation of land as 1973. The settled rate & cess has been effect from 1973.

Assistant Consolidation Officer
Circle, Kamalapur

Handwritten signature



12

FORM OF VAKALATNAMA

IN THE HIGH COURT OF JUDICATURE, ORISSA, CUTTACK
IN THE COURT OF *Commissioner & Condition of the, Cuttack*

RC No. *19* OF 2018

BETWEEN

Dambareudhar Jena Petitioner/Appellant/ Plaintiff(s)

Versus

Pratulla K. Jena Opp.Party/Respondent/Defendant(s)

Know all men by these presents, that by this Vakalatnama

I/We *Dambareudhar Jena S/O Late Bhikani Jena*
Vill - Jamana, PO - Dhola, Dist - Cuttack
P.S - Nilakant, Dist - Kendrapara

_____ Petitioner/App
ellant/Opp.Party/Respondent (s) the aforesaid revision/Appeal case do hereby appoint
and retain *PRAVAT RANJAN SUTAR, H. S. DEO, 9437228208*

Advocate(s) to appear for me/ us in the above case and conduct and prosecute (or defend) the same and all proceedings that may be taken in respect of any application connected with the same, or any decree or order, passed therein including all applications for return of documents or receipt of any money that may be payable to me/ us in the said case and also in applications for review, appeals under Orissa High Court order and in application for leave to appeal to Supreme Court. I/We authorize my/our Advocate(s) to admit any compromise lawfully entered in the said case.

Dated the *4th* *Jan* 2018
Received from the executants(s)
satisfied and accepted as I hold
no brief for other side.

[Signature]
Advocate

Accepted as above
[Signature]
Advocate

[Signature]
Signature of Executants (s)

Accepted as above
[Signature]
Advocate

Accepted as above
Advocate