

H.P.BOARD OF DEPARTMENTAL EXAMINATION OF
IAS/HAS Officers
FEBRUARY, 2006

Paper No.3
Time allotted: 3 Hours

Revenue law and procedure
Max. Marks-100

- Note:
1. Attempt all questions.
 2. Only Bare Acts/ Rules are allowed to be consulted.
 3. Credit will be given for citing law/ Rules in the answers.

Q.No.I What order will you pass on the mutation entered on the basis of will (unregistered) in favour of a daughter superseding the earlier registered will said to be in favour of nephews. Give reasons and quote relevant provisions in support of your finding.

20 Marks.

Q.No.II Shri Rohit and Mohit sons of Sh. Gulab Singh R/O Village Sainj Tehsil Sundernagar have given an application to the Assistant Collector First Grade, Sundernagar for partition of land comprised Kh.No 125 and 120 measuring 35 bighas. The respondent Sh. Jai Parkash S/O Sh. Nand Lal R/O Village Sainj Tehsil Sundernagar has objected to the partition of land, stating that the land Comprised in Kh. No. 125, measuring 10-0 bigha, previously belonging to his Uncle Nand Lal who died intestate in 1990, was in his absolute possession and Ownership as this land was given to him by way unregistered family Settlement deed. This land therefore, according to Sh. Jai Parkash could not Be partitioned as it was not a joint property.

The plea of the applicants Rohit and Mohit however is that the Alleged family settlement deed regarding 10 bighas of land whose value is Much more than Rs. 100 is required to be registered compulsorily and since the Deed is not registered it can not be relied upon as an evidence. Moreover the Alleged settlement has not been acted upon. On the contrary all the parties have Inherited the estate of Sh. Nand Lal as his legal heirs because of which they Are all co –shares and hence deemed to be in joint possession.

1. What issues would you frame in this case?

10 Marks.

2. How would you decide the issues?

30 Marks.

Conti.P-2

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Q.No.III One Shri Ajay, a non- agriculturist, has applied for grant of permission of

880 sq.m. of land in village Anji, Tehsil Solan for construction of a house. He is neither a bonafide resident of Himachal Pradesh nor is he in Government or semi government service.

- (I) What information and inquiry from the revenue staff I required to Recommend the case for consideration by the competent authority?

10 Marks.

- (II) If you were the competent authority how would you consider and Decide the recommendation by the field Revenue Officers in the case?

10 Marks.

Q.No.IV How would you decide the mutation entered on the basis of a registered Sale deed reciting execution of deed, receipt of consideration amount and Transfer of possession where the Vendor after registration and making Entries in the mutation register regarding sale has expired . Give reasons and Quote relevant provisions in support of your decision.

20 Marks.
