

**DEPARTMENTAL EXAMINATION FOR TEHSILDARS/NAIB TEHSILDARS OF  
HIMACHAL PRADESH  
APRIL 2016**

**Paper No. 6 Revenue Case**

**Time Allowed : 3 hours**

**Maximum marks : 100**

**Note: i) Attempt all questions  
ii) Bare Acts/Rules can be consulted**

**Q. No.1**

The Patwari, Patwar Circle Mool Koti, Tehsil Shimla Rural, District Shimla, reported to the Assistant Collector 1st Grade Shimla ( R ) , through the field Kanungo Sanjauli that one Sh. Balak Ram S/O Late Sh Shaunkiya R/O Mohal Kufri Koti, had encroached upon Khasra No 137/1 measuring 0-18 biswas situated in Mohal Kufri Koti, Tehsil Shimla (R), belonging to the Government of H.P, by raising a "Kuccha" structure on part thereof and by cultivating the rest by sowing pea crop thereon. The AC 1st Grade issued a show cause notice to the alleged encroacher in reply to which he claimed an adverse possession on the land. He contended that he had inherited the possession of the land from his late father more than 30 years ago. He also produced electricity bills in support of his claim and produced Sh. Tikkam Ram, Ex-Pradhan, Gram Panchayat Kufri as his witness who supported his claim. The State produced the Patwar circle Mool Koti as witness who refuted the claim of Sh Balak Ram and he exhibited the entries of the Jamabandi which showed the state of H.P. as the owner in possession of the land.

On the basis of above,

- (a) Draw a show cause notice to the encroacher (20 Marks)  
(b) Frame issues on the claim of adverse possession and decide these by a well reasoned order. (40 Marks)

**Q. No. 2.**

S/Sh Nantia, Paras Ram and Hirda Ram are recorded co-owners in possession over land comprised in Khata/Khatauni No 37/107 situated in Mohal Naldehra, Tehsil Shimla ( R ), District Shimla. Sh. Paras Ram filed an application for partition of the above land measuring 17-14 bigha before the AC 1st Grade Shimla( R). While the other two co-owners did not oppose the application on appearance before the AC 1st Grade, One Sh Sunil Kumar appeared before the AC 1st Grade and claimed that Sh Nantia had sold to him ½ of his share in the land. He also produced a sale deed to prove his claim. He further claimed that since Sh. Nantia had put him in possession over a specific portion of the land, he was a sole owner thereof. He prayed that the land in his possession was not open to partition, On the basis of the above facts,:

- (a) Write the daily order sheet of the AC1st Grade. (20 Marks)  
(b) Decide the claim of Sh Sunil Kumar by a well reasoned order (20 Marks)

