

BOARD OF DEPARTMENTAL EXAMINATION
SESSION NOVEMBER, 2019

Time allowed: 3 hours

Maximum Marks:100

Paper : 6 Revenue Case for Tehsildar

Note:-

1. H.P. Land Revenue Act/Rules, HP Tenancy and Land Reforms Act Rules and H.P. Land Records Code/ only Bare Act can be allowed to be consulted.
2. Answer can be given in English/Hindi ; either language.

Q.No.1

Late Sh. Mohan Lal r/o village 'x' Tehsil 'y' and Distt. 'z' was a married man having 2 wives. Both the wives died prior to his death. From both the wives, there were 3 sons (each). From first wife the names of the sons were; Ramesh, Suresh & Naresh. From the Second wife the names of the sons were Ram, Sham, and Ghansham. During his life time Sh. Mohan Lal executed his last will which remained un-registered in respect of his immovable property measuring 10 Bighas in the year 1962. He died in the year 1965. He divided his total immovable property in to 2 parts. First part measuring 5 Bighas given to the 3 sons from the first wife and 2nd part again measuring 5 Bighas given to other 3 sons from the second wife. None of the sons reported the matter of the death of their father to the concerned Revenue authorities and it was only recently that the matter has been reported to the revenue authorities one group of sons. They requested that the will executed in 1962 by their late father be given effect to in the revenue record. Incidentally all the other 3 brothers (2nd Group) has died from time to time but their further legal heirs; their wives, sons and daughters are alive. Also the 2 marginal witnesses ; who are stated to have appended their signatures at the time of execution of the will by Late Sh. Mohan Lal in 1962 have also expired. Therefore there is directly none who can testify that this will was signed by Late Sh. Mohan Lal. The Legal heirs of (2nd Group) of brothers are not aware of these developments.

In the above facts and circumstances Write a detailed mutation order; including various stage of the case, that how will you proceed. Can the will be straight way rejected after such a lapse of time or it can be given effect in the revenue record or the parties be directed to approach the competent civil court to establish their rights. Also indicate ; whether mutation of inheritance can be attested ignoring the will completely. The order should clearly indicate the share of each of the cosharer and how Revenue record will be updated.

(60)

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Q.No.2

Sh. Ram Singh and Sh. Krishan Kumar; 2 land owners of the land at Village 'A' Tehsil 'B' and Distt. 'C'. Submitted an application for Resumption of land from tenants for personnel cultivation under

the relevant rules of H.P. Tenancy and Land Reforms Rules, 1975 after filling in the relevant form to you ; being Land Reform officer of the area within time limit prescribed for such purpose. They further furnished all the details of the land (measuring 30 Kanals) under different Khasra Nos and claimed that they are eligible to resume the land under the provisions of H.P. tenancy and Land Reform Act, 1972. The application was duly verified by Patwari Concerned.

Write a detailed speaking order indicating clearly that under which rule of H.P. Tenancy and Land Reforms Rules, 1975 this application was moved ; which forms were used and under which section/sections of the Act this claim was made. Whether the verification from Patwari was sufficient or some other verification was also required. How will you deal with the application and within what time period. What is the time period prescribed for moving such application. One you find that the application is in time how will you dispose off the application. Write its order sheet first and then a final order disposing off application timely.

(40)
