

HP BOARD OF DEPARTMENTAL EXAMINATION
DEPARTMENTAL EXAMINATION FOR IAS/HAS OFFICERS
SEPTEMBER 2020

PAPER 5 : REVENUE CASE

TIME ALLOWED 3HOURS MAXIMUM MARKS 100

- NOTE:**
- 1. ATTEMPT ALL QUESTIONS.**
 - 2. BARE REVENUE ACTS/ RULES/MANUALS CAN BE CONSULTED. ANSWERS SHOULD BE SUPPORTED WITH RELEVANT PROVISIONS OF ACT & RULES.**

QUESTION NO. 1

Sh. Prem Lal S/O Sh. Achhru Ram died leaving behind his 4 married daughters & 2 sons. He was recorded owner of immovable property measuring 50 Bighas. One of his sons namely Sh Sham Lal resides in USA. The other son Sh. Pyare Lal was residing with him permanently. During his life time he executed 2 wills. The first will, which was executed 10 years prior to his death was registered. According to the contents of this will he gave all his immovable property to his son Sham Lal. The wife of Sh. Prem Lal died much prior his death. Sh. Prem Lal executed another registered will about 6 months before his death. Through this will he devolved his entire immovable property in favour of all his surviving legal heirs. After his death, Sh. Pyare Lal his son reported the factum of death of Sh. Prem Lal to Patwari Halqa and simultaneously presented registered will which was in his possession for attestation of mutation on that basis. When the matter was placed before you, being concerned Revenue officer of the area, the other son sh. Sham Lal also appeared before you and presented the other registered will. He submitted that his father was not in sound health and mind when the registered will which was stated to be executed and presented by his brother and therefore that will need to be rejected straight way. On the next date of hearing all four sisters also appeared and supported the second will. In the meantime, another person from the village Sh. Dhani Ram also appeared before you with a registered document claiming therein that Sh. Prem Lal during his life time has sold 10 Bighas of land in his favour for a consideration of Rs.20 lakhs and passed the possession of the land in his favour. Due to his remaining out of village for few months he could not get mutation attested in his favour. However, he presented one affidavit stated to be executed by Sh. Prem Lal in which he deposed that even if mutation is attested in his absence, he will have no objection. However, all the legal heirs contested his claim and submitted that their father has not sold any piece of land to anyone.

In the above facts and circumstances, write a speaking order and order sheet indicating; how will you decide different claims of the parties and final order/ orders in the matter.

50 marks.

Question No.2

A non-agriculturist from Delhi namely Sh Gandhi Ram purchased a piece of land in the name of a land less labourer, Sh. Gulaba Ram by investing huge amount of money. Thereafter he constructed a huge structure on that land. In the revenue record it is the landless labourer who is the owner of the land and structure. Even concerned AC IInd Grade, Revenue officer attested the mutation in favour of landless labourer. The matter came to your notice; being collector of the area through a complaint made by some local resident. The factum of complaint also came in the knowledge of Sh. Gandhi Ram & Sh. Gulaba Ram. They immediately leased a portion of the structure to a Govt department for 20 years on a handsome amount per year. The rest of the portion of the structure was converted in to a "Sarai" to be used by the pilgrims visting the area. There being a temple in the vicinity of the structure.

Write an order sheet; indicting how to deal with the case. Is there any need to pass an interim order. Also write final order.

30 marks.

Question No.3

At the time of implementation of Himachal Pradesh Ceiling on Land Holding Act 1972, You were Collector of the District Kangra. A land lord of Dharamshala was owner of 3 acres of irrigated land growing 2 crops in a year, 5 acres of assured irrigation capable of one crop a year and 10 acres of land under orchard without any irrigation facility. In addition, he was owner of 900 Kanals of tea gardens. He was having his surviving wife, 2 married daughters and 2 married sons.

Write order sheet indicating various stages; how you would have proceeded in the matter and decided the case finally.

20 marks.