

**BEFORE DR. M.S. SOOD, IAS; JOINT FINANCIAL COMMISSIONER
JAMMU AND KASHMIR AT JAMMU.**

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File No: 119/JFC/AP

Date of Institution: 27.08.2007

Date of Decision: 24.06.2014

In the case of: Hans Raj S/O Late Shri Mani Ram R/O Village Chatta
Tehsil and District Jammu.

(Petitioner)

V E R S U S

(1) Ram Nath (2) Ravinder Nath both S's/O Lohari
R's/O Mastgarh, Tehsil and District Jammu. (3)
Director Land Records (with the powers of
Commissioner Agrarian Reforms) Jammu (4) Deputy
Commissioner, Jammu (5) Collector Land Acquisition
(Asstt. Commissioner, Revenue) Jammu (6) Tehsildar
Territorial, Jammu.

(Respondent)

In the matter of: Revision petition against the order dated
16.04.1996 passed by Respondent No. 3 in File
No. 26/DLR/AP by virtue of which the Respondent
No. 3 has accepted the appeal of Respondents No.
1 and 2 and set aside the Mutation No. 427 dated
03.02.1982 attested in favour of petitioner under
Section 4 of the Agrarian Reforms Act, 1976 in
respect of an area for land measuring two Kanals
and two Marlas bearing Khasra No. 552 situated
at village Chatha, Tehsil and District Jammu.

**Appearing Counsels: 1) Mr. S.M. Chowdhary and Mr. Harbajhan Singh,
for Petitioner.**

O R D E R

The instant revision has been filed against the order dated
16.04.1996 passed by Id. Director Land Records with the powers of
Commissioner, Agrarian Reforms who by virtue of his order has set
aside the mutation No. 427 dated 03.02.1982 attested under Section 4
of Agrarian Reforms Act in favour of the petitioner. The petitioner
herein has assailed the impugned order passed by Id. Director, Land


Records, Jammu on the different grounds as enumerated in the petition.

2) After presentation of petition, otherside was summoned. Respondent No. 1 and 2 appeared through their counsel while the state was represented by ARA. Both sides presented their point of view.

3) I have perused the record and have gone through the body of revision. The basic mutation has been passed under Section 4 of Agrarian Reforms Act. The respondents 1 and 2 have later assailed the said mutation order before the Director, Land Records, Jammu who in the capacity of Commissioner, Agrarian Reforms has accepted the Appeal before him against the impugned mutation. Aggrieved of his order, the petitioners have moved this court by filing the revision. Under Agrarian Reforms Act, 1976 or rules framed thereunder, there is no provision for hearing of revision by this court. Rather, the J&K Special Tribunal has been specially empowered to hear such revisions. Hence, the matter is to be heard by the J&K Special Tribunal only.

4) The matter is, accordingly, disposed of and the case returned back to the petitioners for presentation of same before the appropriate forum i.e. J&K Special Tribunal. Interim order, if any, passed is vacated.

Announced:
24.06.2014


(Dr. M.S. Sood) IAS
Joint Financial Commissioner