

Majid

230	0-267	Chamanlal, Nandlal, Omprakash, Somprakash, Subash Chand S/o Roshan Lal
10J	0-081	Jaiprakash S/o Khduram
78kh	0-050	Bhupender Singh S/o Damodar Dutt
91J	0-043	
	0-093	
79Gh	1-858	Hari Prasad S/o Thakur Prasad
79J	0-198	=0-049 Hect. part of Rajendra S/o 1/4 Chajuram
79D	0-369 out of 0-077	Prabhulal S/o Shivram
79J	0-198	0-010 Pramod,

	part of	Praveen, Niraj S/o
	1/20	Tarachand
79J	0-198	=0-033 Goverdhan
	part of	Prasad, Subash,
	1/6	Sharad, Lalit,
		Jagmohan S/o
		Ramchandr
1Kh	0-243	Pramod Kumar,
		Praveen Kumar,
		Niraj Kumar S/o
		Tarachand
2	0-210	
15	0-036	
18	0-045	
25 Kh	0-080	
26 Kh	0-090	
	0-704 out	
	of 0-198	
	Hect.	
1 Kh	0-243	Goverdhan, Sharad,
		Subash, Lalit,

			Jagmohan	S/o
			Ramchand	
	2	0-210		
	15	0-036		
	18	0-045		
		0-534 out		
		of 0-156		
		Hect.		
	2 Dh	0-490	Shyam	Singh,
			Sunder Singh	S/o
			Kanihya Singh	
	2 Ch	0-824 out	Rajendraprasad	S/o
		of 0-206	Chajuram	
	2 Ch	0-824 out	Pramod,	Praveen,
		of 0-050	Niraj	S/o Sh.
			Tarachand	
	2 Ch	0-824 out	Goverdhan,	Sharad,
		of 0-050	Subash,	Lalita,
			Jagmohan	S/o
			Ramchand	
Village	113 Kh	0-957	Deepak	Sharma,

Gujrani

Aman Sharma S/o
Bhimdutt

114 Kh 1-106

2-063 1-031 Hect.

part of $\frac{1}{2}$

114 E 0-187 =0-031 Hect.

part of

 $\frac{1}{6}$ 114 Ka 1-154 Goverdhan, Sharad,
part of 0- Subash, Lalit,
288 Hect. Jagmohan S/o
Ramchandr13 D 0-101 Pramood, Pravin,
Niraj Kumar S/o
Taradutt

113 Ka 0-837

0-93 part =0-047

of $\frac{1}{2}$ 13 D 0-101 Rajendra Prasad
S/o Chajuram

113 Ka 0-937

		0-938	0-239
		part of ¼	
	13 D	0-101	Govardhan, Sharad, Subash, Lalit, Jagmohan S/o Ramchander
	113Ka	0-937	
		0-938	=0-058
		part of	
		1/16	
Gujrada	232/2	0-069	Rajni Sharma D/o Amardev
Mansingh	232/2	0-077	Sanjay Sharma S/o Amardev
	232/2	0-077	Anuj Sharma S/o Amardev
	230	0-324	Vinod Kumar S/o Vijaypal
	232/2	0-077	Rava Dhobal
	144	0-413	Jyoti Prasad, Ved Prakash etc.

145 0-020

0-433

571 0-170 Arvind, Pankaj S/o
 Kashimirilal,
 Nirmaladevi W/o
 Suresh, Rajendra
 Prasad, Anil Kumar
 S/o Darshan Lal,
 Bal Kishan S/o
 Dileram

491 1-514 Maheshwari W/o
 Amirchand, Umesh
 S/o Ramesh

518 0-267 Indermohan,
 Manmohan S/o
 Trilokinarayan

538 0-623

560 0-271

570 0-235

1-910 out
 of 0-160

		Hect.	
Village	49/1 M	0-502	Yogender Dutt S/o
Daata			Gaynendr Dutt
Lakhond			
Maychak			
Village	2		Ratan Singh,
Sarkhot			Basant Singh S/o
			Indr Singh by Rajiv
			Dutt
	6		
	11		
Bawatha	172/8	0-926	Basant Singh @
			Basanta S/o Kripal
			Singh by Rajiv Dutt
Serki	1/38	0-809	Out of 0-421 Hect.
			Kalam Singh S/o
			Durga Singh by
			Chajju Singh Tilak
			Singh
	1/38	0-809	Out of 0-388 Hect.
Timli	158	0-489	Madan Singh S/o

Maansingh

Şişhı by Rajlv

Dutta S/o A.P.

Dutta

159

160

161

162

163

164Ka

170

172

99Ka

171

174Kh

183

185

Total

Rakba 3-

393 of ½

165

Jabar Singh @
 Jawahar Singh &
 Khem Singh S/o
 Bahadur Singh etc.
 by Rajiv Dutt S/o
 A.P. Dutt

166

167

168

Total

Rakba 1-

400 part

of 2/3

154

0-081

Indr Singh Matwar
 Singh S/o Kalam
 Singh by Rajiv Dutt

251

0-308

151Ka

0-405

Prem Singh S/o
 Dan Singh by Rajiv
 Dutt

136

0-267 out

of 0-280

126	0-930	Chandan Singh S/o Thakur Matwar Singh S/o Umraon Singh
146	0-943	Indra Devi W/o Dalebu Dharam Singh S/o Dalebu
158	0-489	Madan Singh S/o Sishu
159		
160		
161		
162		
163		
164Ka		
170		
172		
174Kh		

183		
185	Total	
	Rakba 3-	
	393 part	
	of 1/2	
189	0-904	Smt. Indr Dai W/o Dalebu Dharam Singh S/o Dalebu
192Ka		
144		
146Ga		
193Ka	Total	
	Rakba	
	0=834	
147ka	0-648	Jabar Singh Chom Singh Bhadu
134/6	0-567	Matwar Singh, Kalam Singh S/o Tumpi Singh
153Ka	0-368	Above

243

Malwar Singh S/o
Kalam Singh

244

0-668

84

Indra Singh Uttam
Singh etc. S/o Gaje
Singh

95

99

101

104

125

Total
Rakba 1-
010

116

Indra Singh Matwar
S/o Kalam Singh,
Sunder Singh S/o
Amar Singh

138

200Ka

212 G

217

250

254

266

268

200 Kh

201

202

223

225

234

249

Total

Rakba 2-

590

136/1

1-267 out

Chandan Singh S/o

of 0-887

Thakur Singh,

Matwar Singh S/o

Umaron singh

Trilok Singh S/o

Tumpi Singh

113

249Ka

251Ka

256

261

Total

Rakba 0-

373

118

0-555 out Above
of 0-458

39

Indr Singh, Uttam
Singh Mahendr
Singh S/o Gaje
Singh

46

50

59

61

65

73 Total

Rakba 1-

206

76

Trilok Singh S/o

Tumpi Singh,

Daulatu S/o Kalu

Narayani W/o Puran

Singh

114

Total

Smt. Madri Devi

Rakba0-

W/o Kishan Singh

939

114

116

138

200

223

217

250

254

266

268

201

223

225

234

249

Total

Rakba 2-

590

175

Kundan Singh S/o

Sher Singh Kedar

Singh S/o Dillip

Singh etc.

177

210

214

228

Total

Rakba 0-

996

230

Above

270

176 0-907

117

Chandan Singh S/o

Thakur, Matwar

Singh S/o Umraon

Singh

118

125

220

233

236

239

247

262 I-042

176

Kundan Singh S/o

Sher Singh Kedar

Singh S/o Dilip

Singh

226

250

253

277

0-923

42

Trilok Singh S/o

Tumpi Singh Doltu

S/o Nandu

62

Narayani W/o Puran

Singh

70

90

107

118

0-959

66

Kundan Singh S/o

Sher Singh Kedar

Singh S/o Dilip

Singh

67

109

133

134

	120		
	125	0-912	
Kulhalmansi ngh	156G	0-008	Iqbal Ramjan S/o Fakira by K.L. Verma S/o R.C. Verma
	157G	0-101	
Kulhan Karanpur	78	0-045	Smt. Manju Singhal W/o Sunil Kumar
	79 Kha	0-028	
	96	0-046	
	122	0-040	
Nagal Hatnala	1Ka	0-320	Devi Singh Sewak, Ramesh Singh S/o Nauratu and Joga Ram S/o Jai Singh
	8	0-085	
	9	0-120	
	10ka	0-070	
	11Ka	0-221	

13	0-085
14	0-020
15	0-030
16	0-020
17	0-050
18	0-130
19	0-040
20Ka	0-025
21Ka	0-005
23	0-075
24	0-050
25	0-050
27ka	0-070
28Ka	0-174
35C	0-189
98Kha	0-016
99Kha	0-032
	1-8877

Bandawali	225	0-020	Ramesh, Suresh Naresh S/o Matwar Singh
	226	0-020	
	227	0-093	
	228	0-030	
	231	0-010	
	2Kha	0-090	Digambar Singh, Beer Singh Vikram Singh S/o Mahar Singh by Rajiv Dubey S/o R.C.
	3	0-040	
	7	0-030	
	8	0-030	
	9	0-027	
	77Ka	0-077	
	115Ka	0-081	
	140	0-024	

142	0-551
154	0-022
156	0-028
182Kha	0-007
189Kha	0-052
191ka	0-008
240Ka	0-020
241G	0-049
308	0-571
307	0-170
Total	1-887
	part of
	$\frac{1}{2}=0-938$

115Ka	0-081	Chandr Dei Widow
		Kantu

140	0-024
142	0-551
154	0-022
156	0-028

182Kha	0-007	
189Kha	0-052	
191 Ka	0-008	
240 Ka	0-020	
241 G	0-049	
307	0-170	
308	0-571	Total Rakba 1-585 of 1 x 2 part = 792
218Kha	0-202	Ramesh, Suresh, Naresh S/o Matwar Singh, Pappu S/o Hosihar Singh
236	0-101	
278	0-020	
294Kh	0-121	
124	0-120	Chandr Dei Widow of Kantu
125	0-060	

126	0-040
128	0-189
139	0-170
143	0-016
182ka	0-010
183	0-060
184	0-073
185	0-069
186	0-080
187	0-055
188	0-030
194	0-097
195	0-097
201ka	0-077
241kh	0-024
279	0-061
281	0-036
291	0-097

	277Gh	0-020	
	241D	0-097	
	282	0-073	
	285	0-045	
	286	0-016	
	290	0-020	
	294Ka	0-016	Total Rakba 1-278
Marotha	433Kh	0-032	Bashir S/o Duli Rahmtulla, Bhoḍu, Chota S/o Bhura
	439Ka	0-020	
	444Kh	0-211	
Khurawa	143	1-808	K. Sashi D/o Kishan Singh by Bala W/o Kishan Singh Mukhtaram Chandr Prakash Balbir
	182Ch	0-045	
	183Ka	0-044	

Total	1-89 part	=0-948
Rakba	of ½	
15Kh	0-227	Kundan Singh, Naresh S/o Gopal by Chandr Prakash
19Ka	0-036	
20	0-028	
21	0-028	
22	0-036	
24	0-085	
29	0-069	
30Kh	0-008	
32	0-117	
33Kh	0-020	
35	0-040	
40Ka	0-040	
42	0-016	
Total	0-750	Out of 0-304
Rakba		

134	0-110	Above
136	0-147	
137	0-152	
140Ka	0-021	K. Sashi S/o Kishan Singh by Bala W/o=
141	1-300	
183Kh	0-060	
184Kh	0-080	
Total	1-461	0-243
Rakba	part of $\frac{1}{2}$ part	
187	0-200	
145	0-117	Gaurav Anand etc. S/o Kamla Anand by Sulochna W/o Kamlanand
147	0-911	
149	0-105	
151	0-158	

174	0-081	
133Ka	0-271	Lal Singh S/o Jay Singh
77	0-040	Nand Gopal Suri S/o Brij Lal Suri by Rajiv Dubey
85Kh	0-020	
86	0-020	
90	0-108	
94	0-022	
104	0-053	
116Kh	0-019	
211	0-116	
215	0-094	
140ka	0-021	Bihari S/o Girdhari
151	0-300	
183Kh	0-060	
184Kh	0-080	
Total	1-461 of	

Rakba 1/3 part -
0487

67 0-198 Lal Singh S/o Jai
Singh by Chandr
Prakash Balbir

76 0-032

213 0-214

72 0-045 Kundan Naresh S/o
Bhopalu Bachara
Rajiv Dubey

78 0-040

79 0-007

80 0-015

81 0-005

82 0-030

121Kh 0-020

206 0-050

211 0-073

218 0-080

180 0-279 Kundan Singh etc
S/o Uttam Singh by
Manoj Goy

23 0-049 Suresh Govind
Vijendra S/o Puran
by Rajiv Dutt

179 0-162

Chalang 807 0-024 Rajender Singh
Gajender Singh S/o
Roop Singh by
Rajiv

110 0-032

115 0-134

116 0-028

118/1 0-036

905 0-016

906 0-004

917/1 0-004

919 0-016

925 0-012

926	0-008
942	0-032
954	0-008
957	0-008
960	0-008
963	0-008
964	0-004
980	0-012
982	0-012
986/1	0-012
990	0-024
111	0-607
1289	0-049
1333	0-045
1356/1	0-040

904	0-008	Chandan Singh S/o
		Gopal Singh,
		Yudhisthar Singh,
		Gajender Singh by

Mangla Devi W/o

Digambar Singh

907 0-040

913 0-053

923 0-020

935 0-008

940 0-028

975 0-081

988 0-053

95 0-065 Pankaj, Pawan,
Amot Chaman S/o
Raju

99 0-138

101 0-065

102 0-061

106 0-302

109 0-170

27/4 0-07 S.P. Tyagi S/o O.P.
Tyagi

1081	0-057	Chetandei W/o Ratan Singh
1109	0-146	
½	0-462	Vinod Choudhary Hari Vipin Kumar Anil Kumar S/o Girdhari by Inder Singh, Kamal Singh
30/1	0-271	
30/2	---	
1113	0-146	Hukam Singh Fateh Singh S/o Devi Singh
1201	0-263	
1203	0-134	
1207	0-069	
240/1	0-061	Suresh Negi Pappu S/o Man Singh by Keshar Singh Man Singh

1064	0-360		
1091	0-210		
1104	0-024		
1114	0-097		
1115	0-105		
1116 M	0-028		
1117	0-032		
1208	0-360		
1241	0-0142		
626	0-154	Anupma	W/o
		Chandr Prakash by	
		Chandr Prakash	
		Balbir	
631	0-089		
1200	0-081	Suresh Pappu	S/o
		Man Singh	by
		Keshar Singh	Man
		Singh	
915	0-020	Pankaj	Amit
		Chaman	S/o Raju

by Kaushalya Devi

W/o Raju

921 0-028

903 0-016

950 0-004

961 0-004

976 0-008

910 0-004

953 0-053

962 0-008

981 0-020

1083 0-069 Huk Singh Fateh
Singh S/o Devi
Singh

1084 0-109

1157 0-024

1159 0-150

1159 0-150

1158 0-125

1171	0-045			
1072	0-117			
1082	0-275			
1172 M	0-105			
1099	0-462			
82	0-221			
147	0-020			
152	0-134			
154	0-049			
159	0-045			
124	0-065			
231	0-061			
145	0-016			
139	0-227			
58	0-113			
61	0-251			
75	0-020			
1231	0-247	Vijay	Singh	S/o

Nain Singh by
Deepak Kumar S/o
Barasi Dass

1229 0-194

Aamwalaup 80Ka 0-173 Raghuvar Singh etc
erka S/o Hukam Singh,
Janki S/o Bhajan
Singh

83 0-130

Aamwala 67/2 0-292
Tarla

84/1 0-166 Rajendra Singh
Bhupendr Singh
S/o Ratan Singh
Suraj Singh S/o
Bahadur Singh etc.

48 0.048 Charan Singh S/o
Maha Singh Etc.

37/3 0.077 Hoshiar Singh S/o
Nathu Singh

43/1 0.029

86/1	0.801	Man Singh, Chandan Singh, Amar Singh S/o Bhola Singh
47	0.101	Ashok Kumar Singh S/o U.S. Verma
89	0.121	Ravinder Singh S/o Ratan Singh
159	0.117	Fateeh Singh S/o Kishan Singh by Rajiv Dubey
165	0.054	
170	0.41	
176	0.125	Subodh Prakash S/o Nauratan
113	0.206	
117	0.231	
105	0.486	Umraon Singh, Indr Singh Bhim Singh S/o Man Singh

122 0.640

128 0.210

132 0.312

137 0.117

188 0.024

106 0.134 Narayan Singh S/o
 Hari Singh,
 Jagdish, Jagdish,
 Vishambar Singh
 S/o Kedar Singh

108 0.174

83 M 0.441 Phool Dei W/o
 Pratap by Rajiv
 Dubey

35 M 0.020 Keshar Singh S/o
 Chandan Singh

38/2 0.178

94 M 0.065 Vimal Singh S/o
 Hari Singh, Raman
 Singh Kamal Singh
 by Vimal Singh

Mangluwala

	95/2	0.065	
	138/1	0.020	
	80	0-611	Nathu S/o Sher Singh
	80	0-122	Jain Singh S/o Inder Singh by Rajiv Dubey
Village	1345	0-130	Kripa S/o Krishna
Misraspatti			
	1346	0-130	
	1290	0-065	
	1343	0-057	Out of 0-115
	9/14	0-768	Jawahar Singh Kunwar Singh
	1225	0-437	
	9/9	0-077	
	9/53	0-101	
	9/10	0-308	Surender Kumar

S/o Baghori

9/55

0-149

Padam Singh S/o

Choota, Kundan

S/o Mukandi

1255

0-172

Ratan Singh S/o

Gopal Singh

1269/3

0-154

Phool Chand S/o

Naorut

Village

24

0-757 out

Sh. Sunder Singh

Bhaitwad

of 0-643

S/o Hariram Singh

village

etc.

39, 64,

0-632

Sh. Sunder Singh

65, 66,

S/o Harinam Singh

67, 77,

& Badh Singh,

128

Gabbar Singh S/o

Ram Singh, Ind S/o

Hari Chandr,

Govind S/o Paran

51,24

0-643

Above

46, 100

0-631

Above

94,100,10

2

151, 152 0-644 Above

4/20,25,5, 0-628 Above

143

24 0-757 out Above
of 0-644

4/2,5,25,1 0-628 Above

43

24 0-757 out Above
of 0-64354 0-886 out Narayani Devi S/o
of 0-555 Rajmati

45,15 0-583 Above

86,89,,10 0-554 Above

5,

11,112,11

6,

118,132,1

53

15 M 0-619 out Above

of 0-573

82,101,20	0-531	Sh. Sunder Singh
3,6		S/o Harinam Singh
		Badh Singh, Gabbar
		Singh S/o Ram
		Singh
13,48,81,	0-043	Bhagwan Singh @
88,		Bhawani Singh S/o
117,120,1		Narayan Singh
33,		
150,159		
Above		Mangal Singh S/o
		Narayan Singh
68	0-109	Above
14,54,114	1-019	Narayani Devi S/o
,		Rajmati, Mangal
115,121/2		Singh, Bhawani
,		Singh S/o Narayan
122,129,1		Singh
41,		

144

19/1,43/1, 1-412. Bhaldi Devi W/o
 57,91,107 part of 1/2 Jawaharu

203/10

38 0-397 Above

25/2 0-243 Ratan Singh S/o
 Dami Singh by
 Tawari Devi W/o
 Dami Singh

55,56 0-547

19/1,43,1, 1-412 Above
 57 part of
 91,107, 1/2

203/10

14,54,114 Bhad & Chatru S/o
 Chatar Singh

115,121/2

122,130

139,141,1 1-031 out

44 of 1/10

27 0-320 Smt. Maldi Devi
W/o Jawaharu

145M 0-012

0-332

11,26/1,3 0-740 Above

6,

43/2,75,7

6

13,48,81, 0-043

88, part of

1/4

117,120,1

33,

150,159

0-470 Smt. Malti Devi
W/O Jawaharu
Ratan Singh S/O
Tampi, Tawari Devi
W/O Tampi Singh

	92,93,98, 99, 142,103,1 04, 124,145,1 25, 26,129,14 6	0-392	Smt. Maldi Devi W/o Jawaharu Ratan Singh S/o Tampi Tanwari Devi W/o Tampi Singh
	37/1	0-688	Veer Singh, Vijender Singh S/o Chan Singh
	37/2	1-433	
	13,48,81, 88,117,12 0, 133,150,1 59	¼ part of 2-043	Bhadu S/o Chatru
Village Fatehpur	659/1	0-409	Datta Ram S/o Kewal Ram
	651 M	0-405	Ramesh S/o Daya

		Ram
651/1	0-151	Rajesh Kumar, Sanjay Kumar
642/1	0-445	Pratap Singh & Rajbala
672/1	0-405	Kanwar Singh, Dhaniram etc.
640 M	0-291	Uday Singh, Roop Singh etc.
587/2	0-153	Hukam Singh S/o Bhaw Singh
58 M	0-308	Dev Kumar, manoj Kumar
654 M	0-162	Vijay Pal Singh, Yashpal Singh
597/2	0-121	Bal Kishan, Trilok
674	0-628	Phool Singh
675/1	0-146	Om Prakash Shivkaran
654	0-008	Vijay Pal Singh,

Yashpal Singh

	655	0-154	Above	
Village	721/5	0-983	Yogeshwar	Dayal,
Jatto			Satish,	Vijay
			Prakash	
	660/1	0-214	Ram Lal	
	680	0-856	Zamil S/o Kallu	
	631	0-574	Maniram,	
			Suganchand	S/o
			Parma	
	641	0-069		
	642	0-020		
	643	2-360		
	659,661	0-612	Subba	Singh,
			Surender Singh	S/o
			Atara	
	552,	0-291	Fakruddin	S/O
	563/2		Majid	
	553, 554,	0-857	Manira	S/o Zani
	572/2		etc.	

663/2	0-319	Abdul Hassan, Islam, Nurdin, Saykat, Aishan S/o Mida
677, 689	0-534	Maan Singh S/o kadam Singh
653	0-231	Hari Ram S/O Banwari
Grand	107-455	
Total	Hect.	

Accordingly Parwana for mutation be issued.
One copy of this order be sent to the Collector,
Dehradun with request to pass order under
Section 167(2) of Z.A. Act and dispossess the
defendants from lands in question and to receive
possession of State Government.

Sd/- illegible

(Manvendre Singh)

Assistant Collector 1st Class / SDM

Dehradun

The judgment signed today dated 21.08.1997
and pronounced by me in open court.

Sd/- illegible

(Manvendre Singh)

Assistant Collector 1st Class / SDM

Dehradun

//True translated copy//

ANNEXURE R-4

COURT OF THE ASSISTANT COLLECTOR 1ST
CLASS/ SUB DIVISIONAL OFFICER, DEHRADUN

Case No. 39/96-97

Section 166/167 of Z.A. Act

State

Vs.

Golden Forest India Pvt. Ltd. through Vinod Kumar
Viyogi, Village Saddhobala, Pargana Pachhawadun,
Tehsil and District Dehradun.

JUDGEMENT

Tehsildar Dehradun while submitting the Report has mentioned that Golden Forest India Ltd. through Vinod Kumar Viyogi has purchased 15.685 Hect. land in village Saddhowala, Pargana Pachhawadun, District Dehradun from different Khatedars. The said purchaser side has purchased the said lands by way of sale deed from said Khatedars. The purchaser side without obtaining permission from Govt. of U.P. has purchased the

said lad. Therefore, Purchaser Side has violated the provision under Section 154 (1) of the Z.A. Act. The purchaser side has been in possession of land also on site and the purchaser side has purchased by way of sale deeds more land than the specific limit provided under Section 154 of the Z.A. Act. Therefore, the purchaser side has violated the provision under Section 154 of Z.A. Act, therefore, against him action under Section 166/167 of Z.A. Act may be instituted.

I have perused the evidence available on case record and has perused the report of Tehsildar Dehradun. From the evidence available on record it becomes evident that the purchaser side has purchased 15.685 Hect. land in village Saddhowala from different Khatedars by way of sale deeds. This fact has been got confirmed from the Registrar Office. As per provision mentioned in Z.A. Act, any Bhumidhar cannot acquire land more than the limit of 12 ½ acres unless and until permission from Government is not obtained. Purchaser side has not obtained any such permission. Therefore, due to purchase of the land

in question, the purchaser has violated the provision under Section 154 of Z.A. Act. Therefore, as per the provision contained in the said section of aforesaid Act the land purchased more than the prescribed limit will automatically vest into State Government free from all encumbrances. Probably to save from this provision of Section the purchaser side has willfully not got the mutation of land purchased in his name and the said land is still in the names of its sellers (former bhumidhars).

Out of the aforesaid total purchased 15.685 Hect. lands only an area of total 5.059 Hect. has to be released in favour of purchasers and the remaining land has to be vested in the State Government which seems to be proper and justified. The case in question is an urgent case and in this there is every possibility of misappropriation of the lands purchased. Therefore, it seems to be very necessary to vest these remaining lands in the State Government with immediate effect. Therefore as per the aforesaid while leaving the lands in village

Saddhowala, Pargana Pachhawadun in Khata No. 153/2 area 0.271, Khasra No. 153/4 area 1.329, Khasra No. 184/20/5 Min. area 0.089, Khasra No. 154/4 area 0.251, Khasra No. 156/5 area 0.332 Hect., Khasra No. 153/1 & 153/6 area 1.280 and Khasra No. 159 Min. area 0.507 total area 5.059 Hect. the remaining lands, due violation of Section 154 of Z.A. Act, are hereby declared null and void under Section 166/167 of Z.A. Act and for vesting in favour of State Government the following order is hereby passed.

ORDER

On the basis of aforesaid analysis the following lands which have purchased by Golden Forest India Pvt. Ltd. through Vinod Kumar Viyogi and the said land is beyond the prescribed limit under said Act and have been continue recorded in the names of different Khatedars/ Sellers and the transfer of these lands are hereby declared to be null and void and the same are vested in State Government with immediate effect.

Village	Rakba	Rakba	Name of tenure holder	name has
---------	-------	-------	-----------------------	----------

Name	No.	In Hect.	been deleted from revenue records
1	2	3	4
Village Sadowala	184/1	0-089	Jaswant Singh S/o Ram Swaroop
	159M	0-369	Rajendra Singh S/o Madho Singh
	184/20	0-081	S.K. Manglik S/o Late Amarnath Gupta
	184/8/2	0-083	S.P. Jain S/o Late Laxmiprasad Jain
	184/20	0-083	S.K. Bahadur S/o Kanwar Bahadur Mathur
	159	1-097	Hari Singh, Indra Singh, Chander Singh all S/o Dayal Singh
	184/4	0-089	Balvinder Kaur W/o Gardeep Singh

164M	0-024	Mangu Singh S/o Baldev Singh, Phool Kumari W/o Mangu Singh
185	0-238	Diwan Singh, Hukam Singh all S/o Late Rikhi Ram & Mahendra Singh, Satendra Singh all S/o Tilak Singh
59M	0-226	
60M		
159	0-206	0-206 Dewasrava S/o Devraj
165/1	0-065	
165/2	0-008	
165/3	0-081	
166	0-066	
170	0-243	

174M	0-255	Devshrava	S/o
		Devraj	
176/4	0-486		
184/9/1	0-138		
184/9/2	0-020		
184/11	0-365		
184/13	1-295		
184/14	1-015		
184/15	0-162		
184/19	0-136		
184/18	0-225		
184/20	0-032		
158	0-634		
171/1	0-081		
171/2	0-028		
171/3M	0-125		
172	0-369		
177/1	0-166		

177/2 0-020

178M 0-283

179/1 0-130

179/2 0-089

179/3 0-057

179/4 0-174

180/1 0-470

180/2 0-020

180/3 0-024

180/3 0-024

181 0-073

184/6 0-146

187/7 0-142

184/10 0-040

184/4 0-077 Kamaljeet Singh &
Lokbir Singh S/o
Trilok Singh

10-626

Hect

Accordingly Parwana for mutation be issued. Copy of this order be sent to the Collector Dehradun with request to pass an Order u/s 167(2) of the Z.A. Act for dispossession of the defendants from lands in question and to recover possession of the State Government.

Sd/- illegible

(Manvendre Singh)

Assistant Collector 1st Class / SDM

Dehradun

The judgment signed today dated 21.08.1997 and pronounced by me in open court.

Sd/- illegible

(Manvendre Singh)

Assistant Collector 1st Class / SDM

Dehradun

//True translated copy//

ANNEXURE R-5IN THE COURT OF ASSISTANT COLLECTOR 1STCLASS/ SUB DIVISIONAL OFFICER, DEHRADUN

Complaint No. 30/96-97

Section-166/167 Forest Division Rules

State Vs. Golden Forest India Pvt. Ltd.
 Etc. by Rajiv Dutt S/o S.P. Dutt
 Pargana Village-Bandawali etc.
 Parwadun/ Pachwadun

JUDGMENT

The Tehsildar, Dehradun while submitting the report has mentioned that Shri Rajeev Dutta son of A.P. Dutta, in the name of different companies, has purchased several Gata numbers of land on the basis of registered sale deed from different Sankramaniya Bhumidhars and has also in possession on site. The Purchaser has violated the provision under Section 154(1) of the Z.A. Act because purchaser has purchased land more than 12 ½ acres without obtaining permission from the State Government. Therefore, against the opposite party proceeding under section 166/167

of Z.A. Act may be instituted. Alongwith the said report there has been one list enclosed mentioning therein that Shri Rajêev Dutta in the name of Goldan Forest India Pvt. Ltd. S.C. has purchased 3.097 Hect. land in village Bandawali, 7.172 Hect. land in village Chalang, 0.405 Hect. land in village Gujarami, 3.777 Hect. land in village Jassowala, 1.262 Hect. land in village Khushhalpur and 4. 559 Hect. in village E.Ho.Ta total 20.772 Hect. land has been purchased. Alongwith the report the detail of said land and copies of Khataunies have been forwarded and it is prayed to Institute proceeding under Section 166/167 of the Z.A. Act.

I have minutely perused the evidences available on case record and the report of Tehsildar Dehradun. From the evidence available on case record it is clear that the purchaser in the names of different companies has purchased 20.772 Hect. land in different villages from different Sankramaniya Bhumidhars and because the purchaser side has purchased land more than 12 ½ acres without permission from the State

Government. In this way the purchaser side has violated the provision under Section 154 of Z.A. Act and has purchased the land more than the prescribed limit therefore from the date of purchase itself also will be presumed to be land of State Government free from all encumbrances. Probably the purchaser side has violated the provision under Section 154 of Z.A. Act willfully has not conducted the proceeding of mutation and the lands in question are still recorded in the names of sellers in the documents of revenue record which is wrong. Out of the aforesaid total 20.772 Hect. Lands purchased under the provision it would be justified to leave total 5.0586 Hect. Land as per rule and the remaining land has to devolve in favour of the State Government. The case in hand is a urgent case and there is every possibility of misappropriation of the land. Therefore, it seems to be very necessary to attach this remaining land in favour of government immediately. Therefore, the land in village E.H.T. Pargana Pachhawadun in Khasra Nos. 870 Min. Rakba 0.384 Hect, 870 Min. 0.405 Hect, 919 Min. 0.405, 870 Min 0.356 Hect, 893 Min. 0.049 Hect,

870 Min. Rakba 0.405, 870 Min. 0.405, 919 Min. 0.405, 870 Min. 0.405 Hect, 870 Min. 0.405 Hect. 919 Min. 0.405 Hect, 919 Min. 0.405 Hect. 870 Min. 0.283 Hect, 919 Min. 0.405 Hect, 2133, 0.146 Hect 137 Min. 0.028 Hect & 138/1 0.486 Hect. Total Rakba 4.559 Hect, in Village Khushalpur in Khasra No. 286/3 Rakba 0.500 Hect. Land Total Rakba 12.50 Acre i.e. 5.0586 Hect. are being left in favour of the purchaser and remaining land is ordered to be vested in favour of State Government under Section 167(1) of Z.A. Act for violation of Section 154 of the Z.A. Act and being declared to be null under Section 166 of the Z.A. Act

ORDER

On the basis of aforesaid analysis the following lands in question of following villages which have been recorded in the names of different Khatedars (Sellers) in revenue record and have been purchased in the names of said companies by Shri Rajeev Dutta are being vested in favour of the Govt. of U.P. with immediate effect.

Village	Khasra No.	Rakba (in Hect.)	Name of tenure holder name has been deleted from revenue records
1	2	3	4
Bandawali	118	0.070	Digambar Singh, Veer Singh, Vikram Singh, Virender Singh S/o Mohar Singh
	119	0.060	
	120	0.050	
	121	0.070	
	122	0.040	
	123	0.040	
	127	0.060	
	129	0.080	
	130	0.077	
	182 G	0.037	
	189 G	0.007	
	196	0.085	

	200 K	0.089		
	274	0.040		
	200 Kh	0.012		
	288	0.085		
	155	0.049		
	285	0.304		
	283	0.158		
		1.413		
	109	0.020	Nandgopal Suri	S/o
			Brijlal Suri	
	110	0.030		
	111	1.634		
		1.684		
Village	111	0.607	Rajender	Singh,
Chalng			Gajender	Singh
			S/o Roop Singh	
	5/2	0.587	Arjun Singh, Madan,	
			Tikarlal, Balram,	
			Ramchander	S/o

Dasmal

	18	0.016			
	24	0.130			
	25	0.745	Narayan	Dutt	S/o
			Jaitram		
	26	0.008	Smt.		Sapna
			W/o Premprakash		
	27	0.239			
Village	32	0.093			
Chalng					
	33	0.028			
	36	0.032			
	38	0.032			
	39	0.089			
	47	0.125			
	48	0.065			
	49/2	0.036			
	50/1	0.032			
	34/2	0.069	Arjun Das	S/o Das Mal	

41 Mtr. 0.121 Sunil B. Taneja S/o
Brijkishor Taneja

44/2 0.077

Mtr.

3 0.490

6/1 0.040

20 0.028

31 0.097

33 0.433

34/2 0.057

37/1 0.081

40 0.214

41/1 0.162

42 0.065

43 0.053

44/1 0.348

45 0.028

46 0.134

49/1	0.085	
30/1	0.291	
1086 Mtr.	0.052	Sushila Devi D/o Man Singh W/o Virender Singh
1147	0.123	
1081 Mtr	0.052	Chetandei W/o Darshan
1109	0.123	
69	0.247	Pawan, Pankaj, Amit, Chaman S/o Raju
79	0.073	
118/1	0.036	
134	0.057	
1180	0.057	Smt. Kaushyala Devi Widow of Attar Singh
1185	0.045	
1187	0.097	
1281	0.073	

1320 0.065

1311 0.024

1331 0.028

1339 0.032

1301 0.032

1302 0.012

1294 0.069

1292 0.057

1360 0.081

Total 7.172

Village	145 D	0.405	Baarlal, Nandkishor
Gujarmi			S/o Banshiram

Total 0.405

Village	644	0.368	Mamchand, Jaipal
Jasowala			Singh S/o Kabolchand

757/3	1.331	Swaroop Chand S/o
		Ramanand

721

	725	1.632	Omkumar S/o Bharat Singh
	726		Rohit Kumar S/o Arvind Kumar
	727		Devender Singh S/o Bharat Singh
	Total	7.777	
Village	486	0.436	Yashin S/o Sadi
Khushalpur			
	286/3	0.204	Morehasan, Narhashan S/o Famdin
	252/30	0.203	Akhtar, Mahfaz, Yasin S/o Wazir Ahmad by Jitender Joshi
	157/3	0.419	Maruchan S/o Ajimudin by Jitender Joshi
	157/6		
	Total	1.262	

Total 15.713

Let the Parwana for mutation as per aforesaid be issued. One copy of this order be sent to the Collector, Dehradun with request that he should kindly pass an appropriate order under Section 167 of the Zamindari Abolition Act for dispossession of the defendants from lands in question and to take possession in favour of the State Government.

(Manvendra Singh)

Asstt. Collector 1st Class/S.D.O.,
Dehradun.

The aforesaid order has been passed by me today on 21.8.97 by me in open court under my signature and date.

(Manvendra Singh)

Asstt. Collector 1st Class/S.D.O.,
Dehradun.

//True English Translation//

ANNEXURE R-6

COURT OF THE ASSISTANT COLLECTOR 1ST CLASS/
SUB DIVISIONAL OFFICER, DEHRADUN

Case No. 33/96-97

U/S 166/167 of Z.A. Act

State

Vs.

Golden Forest Co. Pvt. Ltd. through Jitendra
Prasad Joshi.

Village Fatehpur & Ors., Pargana Pachhawadun,
District Dehradun

JUDGEMENT

Tehsildar Dehradun while submitting his Report dated 12.8.1997 has mentioned that Shri Jitendra Joshi in the name of Golden Forest and its associate companies or in the name of different persons have purchased several lands from different Khatedars. The purchaser side has violated the provision under Section 154(1) of Z.A. Act because they have purchased the land more than 12 ½ acres without obtaining

permission from the State Government by way of registered sale deeds and they are in possession on site also. Therefore, against the opposite party proceeding u/s 166/167 of Z.A. Act may be initiated and the lands in question be vested in the State Government. Alongwith his report the Tehsildar Dehradun has also produced the details of aforesaid lands purchased/ names of the purchasers and Khatedars, copy of Khatauni etc. record. Therefore, as per the said records the opposite party in the names of Golden Forest or its associate companies has purchased lands in village Fatehpur admeasuring 3.642 Hect., in village Sheeshambada admeasuring 0.732 Hect., in village Ghamolo admeasuring 1. 541 Hect. in village Mirjapur Dhalipur admeasuring 2.910 Hect., in village Bairagiwala admeasuring 0.797 Hect. total area 13. 5574 Hect. The lands in question are still recorded in the names of Sellers in the revenue record.

I have minutely perused the evidence available on the record of case and the Report of the Tehsildar Dehradun. As per the said report the

purchaser side has purchased huge land without obtaining permission from the State Government in the name of Goldan Forest and its associate companies which are included in the Golden Forest itself from the different Khatedars of different villages by way of registered sale deed. As per the provision under Section 154(1) of the Z.A. Act any person could not purchase land more than 12 ½ acres without permission from the State Government. Because opposite party has purchased land more than 12 ½ acres therefore the purchaser has violated the provision of Section 154 of the Z.A. Act. The said land purchased are still continue recorded in the names of sellers and this fact has been duly mentioned by the Tehsildar in his report. Probably to save from the provision under said section the purchaser side have not conducted mutation proceeding in their favour. From the aforesaid analysis it is clear that the purchaser has violated the provision under Section 154 of the Z.A. Act and it seems proper to institute proceeding under Section 166/167 of Z.A. Act against them. Therefore, out of the total land purchased an

area of 12 ½ acres land are hereby released in favour of the purchasers it would be justified to vest the remaining land in favour of the State Government. Therefore the lands in Khasra No. 28 area 0.100, Khasra No. 29 area 0.112, Khasara No. 153 area 0.110, Khasra No. 158 area 0.119, Khasra No. 159 area 0.676 total area 1.127 Hect. situated in village Mandi Gangbhewa Pargana Pachhawadun, lands in Khasra No. 530 area 0.119, Khasra No. 511 area 0.174 total area 0.293 Hect. situated in village Dhakarana, Pargana Pachhawadun and land in Khasra No. 199 Min. area 0.376 Hect., 199 Min area 0.356 Hect. total area 0.732 Hect. situated in village Sheeshambada, Pargana Pachhawadun and land in Khasra No. 326/3 area 0.506 Hect., 323/1 area 0.530 Hect., Khasra No. 323/2 area 0.526 Hect., 321 area 1.348 total area 2.910 Hect. i.e. total land 5.059 Hect. are hereby released in favour of purchaser. Following order is being passed for immediate vesting of the remaining land in favour of the State Government. Since the case in question is a urgent in nature and there is every possibility of misappropriation of the lands in

question, therefore, it is necessary to immediately vest the said land in favour of the State Government.

ORDER

On the basis of the aforesaid analysis the following lands of the following lands which have been recorded in the names of different Khatedars (sellers) and have been purchased by Shri Jitendra Joshi in the names of aforesaid companies are hereby vested in favour of State Government with immediate effect.

Village	Khasra No.	Rakba	Names which have to be removed and name of State Govt. has to be entered.	
1	2	3	4	
Fathepur	701/2	0-040	Lalita Dolly Sunita	Kapoor, Batra,
	780/1	0-566		

	780/3	0-486	
	701/1	0-065	
	621	0-081	
		1-038	
	623	1-044	Mahesh Chand, Vijay Laxmi
	624		
	618	0-085	
	704/1	0-101	
	704/3	0-057	
	703/1	0-833	
	703/3	0-097	
	618	0-397	
		2-604	
Village- Mandi Gangmewa	29	0-0360	Raj Kumar S/o Chamanlal
	30	0-4500	
	31	0-2500	

	153 Ga	0-1030	
	158K	0-1210	
	176Ka	0-1800	Roshan etc.
	176Kh	0-0200	Lila Ji
	176Ga	0-2000	Rajpal etc.
	177	0-4590	"
		1-8790	
		Hec.	
Village	530	0-121	Majeed Kha
Dhkrani			
	12	0-593	Irfan
	518	0-460	Abdul Karim etc.
	507	0-482	Jahor etc.
		1-656 Hec.	
Village	241	0-030	Abdul Mjeed Kha
Ghmoli			
	242Gh	0-149	
	244Gh	1-362	

1-541

Village	296	0-077	Mahesh Chandra
Bairagiwala			S/o Amardutt,
			Vijay Laxmi W/o
			Ramesh Chand

276/2

282	0-720	Lalita Kapoor D/o
		C.L. Kapoor Dolly
		Batra D/o
		Rajendra Batra
		Sunita D/o Krishna
		Mehra

275 0-797

Accordingly the Parwana for mutation e issued. One copy of this order be sent to the Collector, Dehradun with request to pass an order under Section 167(2) of the Z.A. Act for immediate dispossession of the defendants from lands in question and for possession of the State Government.

(Manvendra Singh)

Asstt. Collector 1st Class/ S.D.O.

Dehradun

The aforesaid order has been signed and
pronounced in open Court by me today on this
21.8.97.

(Manvendra Singh)

Asstt. Collector 1st Class/ S.D.O.

Dehradun

//True English Translation//

ANNEXURE R-7

COURT OF THE COLLECTOR, DEHRADUN

Order No. 7/1996-97 Date: 28.8.97

Assistant Collector 1st Class/ Sub Divisional Officer, Dehradun has forwarded a copy of his Order dated 21.8.97 passed under Section 166/167 of the Z.A. Act to this Office. In the case of Order No. 36/96-97 date 21.08.97, State Vs. Golden Forest India Ltd. through Balbir Singh the lands in question have been vested into State Government. Being satisfied by the aforesaid Order, I Bhupendra Singh, Collector Dehradun, do hereby order under Section 167(2) of the U.P. Z.A. Act to the Dy. Collector, Dehradun that as per the list enclosed receive possession over the land vested into State Government. If possession of other person is found on this land then he should be dispossessed and if for dispossession required to use force then use proper force. The Dy. Collector, Dehradun for execution of orders will take assistance from the officers concerned with Revenue Department. The Sr. Supdt. of

Police, Dehradun will provide necessary police force on demand of Dy. Collector, Dehradun.

Sd/- (Illegible)
(Bhupendra Singh)
Collector, Dehradun

Copy to:

Sr. Supdt. of Police, Dehradun with request to provide police force required for aforesaid proceeding of dispossession to the Dy. Collector, Dehradun.

Sd/- (Illegible)
(Bhupendra Singh)
Collector, Dehradun.

//True translated copy//

ANNEXURE R-8

COURT OF THE ASSISTANT COLLECTOR, 1ST
GRADE/ SUB DIVISIONAL OFFIER, VIKSNAGAR
No. 15A/99-00; 44, 18, 4, 20, 29, 13, 50, 7, 15,
30, 11, 47, 25, 46, 36, 38, 35, 39, 10, 26/00-01

U/S 166/167 OF U.P. Z.A. ACT

STATE

Vs.

M/s. Golden Forest Co. India Ltd. through
Balvindrajeet Syal.

M/s. Golden Forest Co. India Ltd. through
Balvindrajeet Syal

M/s. Golden Forest Co. India Ltd. through
Balvindrajeet Syal.

M/s. Golden Forest Co. India Ltd. through Vinod
Kumar

M/s. Golden Forest Co. India Ltd. through Sanjay
Ghai.

M/s. Golden Forest Co. India Ltd. through Rajeev
Dutta.

M/s. Golden Forest Co. India Ltd. through Arvind
Kumar.

M/s. Golden Forest Co. India Ltd. through Sanjay
Ghai

M/s. Golden Forest Co. India Ltd. through Navtej
Singh.

M/s. Golden Forest Co. India Ltd. through Arvind
Kumar.

M/s. Golden Forest Co. India Ltd. through

M/s. Golden Forest Co. India Ltd. through Arvind
Kumar

M/s. Golden Forest Co. India Ltd. through Sanjay
Ghai

M/s. Golden Forest Co. India Ltd. through Vinod
Kumar

Ujala Finlik Co.

Ekwafin Weg Pvt. Ltd.

Golden Agro

Indian Overseas through Arvind Kumar

Golden Forest Co. India Ltd.

M/s. Golden Forest Co. India Ltd. through Tej
Singh

M/s. Golden Forest Co. India Ltd. through Tej
Singh

JUDGEMENT

In this the Tehsildar has submitted reports in the month of September 1997 on different dates stating therein that in the villages Balragiwala, Khushhalpur, Ghamolo, Sheesham Bada, Central Hope Town, Lakhanwala, Jhajhara, Suddhowala, East Hope Town, Rampur Kalan, Mishras Patti, Fatehpur, Jassowala and Dhakrani Tehsil Vikasnagar M/s. Golden Forest Company India Ltd. has got lands transferred in its favour on large scale more than area admeasuring 12.50 acres without obtaining permission from Government which is violation of provision under Section 154(1) of U.P. Zamindari Abolition and Land Reform Act and accordingly has submitted report for vesting in State Government under Section 166/167 of the Act.

Cases have been registered and notices have been issued on the opposite parties, which on service are enclosed on record of case. On behalf of opposite parties in some cases Advocates Shri Rajesh Pokhriyal and in some cases Advocate Shri Rajesh Garg have submitted objections that, notice service on opposite party company are wrong and legally null and void because since company being a separate entity it has right hold 12.50 acres land. No company is the associate company of Golden Forest and none of the companies have purchased land more than 12.50 acres, therefore, none of the company has violated Section 154 of the Act. After filing of objections, during course of hearing of the cases, used to appear for hearing very often. In some cases the Advocate for opposite parties have sought time to file objections but objections have not been produced.

On behalf of the State Government Ld. District Advocate (R.) Shri Subodh Kumar Sharma has appeared. He has argued that the case has been pending for last several days and service of

notice there has not been any pairavi in cases. It would be appropriate to inform the opposite parties by way of newspapers for objection. Since the opposite parties have information of this case since inception, therefore, there was no necessity to serve notice again even then in the interest of justice, court has afforded one opportunity to file its objection. Upto the prescribed date, on behalf of the opposite parties no objection has been received, therefore, the D.G.C. (R) has argued that it would not be proper to now give more time to the opposite parties and these cases be heard ex-parte and dispose off the same. While doing pairavi on behalf of the State he has argued that: -

Golden Forest Company in District Dehradun and Tehsil Vikasnagar has got transferred land more than 12.50 acres by way of purchase and accordingly has violated the provision under Section 154 of Uttar Pradesh Zamindari Abolition Act. Due to which subject matter of transfer has been stand vested in State Government under Section 166/167 of the Z.A. Act. Accordingly the

properties be recorded in the name of State Government. The lands purchased by other associate companies of Golden Forest may also be added in the lands purchased by Golden Forest because these companies are the associate companies of Golden Forest.

In support of aforesaid statement the Ld. D.G.C. (R.) has submitted different evidence which are available on case record.

(i) On their behalf statements of concerned Lekhpal and present Tehsildar have been recorded in the court. The concerned Lekhpal has proved his report in Court.

(ii) On the request of D.G.C. (R) for statements of some concerned seller vendors /cultivators and some other people of village, the Nayab Tehsildar, Vikasnagar were ordered to visit the concerned villages and record their statements, in compliance thereof, statements of concerned cultivators have been recorded and produced which are available on case record. In statements the

cultivators have admitted that they have sold their lands to Golden Forest Company (File No. 5).

(iii) D.G.C. (R.) has submitted an application that case file of Shri N.P. Gupta (PW-1), who is the employee of Golden Forest Company, has been sent to the Sub Divisional Officer, Vikasnagar by the Commissioner Garhwal Division for necessary action, be called for in the Court and the same may be used in reference to this case as evidence. On 5.5.03 order was passed to summon the case record and accordingly case record has been received on 12.05.03 which is available on this case record. The Affidavit dated 05.05.2003 filed by Shri Gupta before the Sub Divisional Officer has also been included in this case record.

On the basis of records filed by the P.W.-1, the D.G.C. (R.) has argued that the application written by Shri Gupta to the Commissioner, Garhwal Division with contention that the Company, for payment to

its investors, has allotted its lands situated in Suddhowala with list of investors enclosed. Therefore, while interfering in works on these lands as per the list enclosed, the Lekhpal states that some of these lands are vested in State Government, therefore, you should not do work on this land. He has requested that he wants to allot the concerned allotted lands to its investors. Therefore, kindly get the hindrance by Lekhpal removed. Alongwith this letter he has enclosed the proposals of different companies, list of investors of Golden Forest, judgement of the Revenue Board Uttar Pradesh, copies of Identity Card issued by Golden Forest Company. Order of the Commissioner, Garhwal Division on this letter is dated 03.01.02 and vide the Letter No. 910 this has been forwarded to the Dy. Collector. The Ld. Government Advocate has argued that if the proposal an list of investors sent alongwith the said application be presumed to e true then, investors are of Golden Forest Company and the companies submitting proposals are the associates

companies of Golden Forest. In this way the said land of those all associate companies be added in the lands of Golden Forest for violation of Section 154 of the Z.A. At.

Para No. 3 of the Affidavit submitted by the P.W. 1 proves that the money of investors have been invested in main company Golden Forest whose computerized receipts have been produced.

It is the statement of P.W. 1 that main purpose /objects of the company is to purchase the lands out of the money received from the investors and develop the forest and for this purpose company has purchased land on large scale and in purchase of land company has taken assistance of its associate companies. As per him company has approximately 113 associate companies. From the affidavit enclosed of the Chief Development Advisor of Golden Forest namely P.D. 1, Dr. Niranjan Prasad, whose identity card issued by the company has also been enclosed and who has got investment of approximately a sum of Rs. Six crores by

different investors in Golden Forest Company, it is proved that -

- * Investors have made investment only and only in the main Company Golden Forest.
- * Company has purchased lands at different places on large scale and has purchased in the name of different associate companies.
- * Present condition of the main company is not good. Therefore, for refund of money of investors, those associate companies, in whose names lands situate, have passed the said proposal.

(iv) Shri Balvindrajeet Syal (PW-2) appeared in Court on 12.05.03 and has filed affidavit, memorandum of association of Golden Forest Company, articles of association and details of the properties purchased by different companies in Tehsil Office Vikasnagar which are available on record. Shri Syal has stated on affidavit that he has been appointed by the company in the year 1995 as employee in

Dehradun Circle for the purpose to purchase land for Golden Forest Company, get it registered and get these lands mutated. He has purchased approximately 150 acres land in Dehradun in the names of main as well as associate companies. Money for purchase of lands were given by main company Golden Forest by way of Bank Draft to him. It was the direction of the main company that the lands be registered in the names of different companies. He does not have any knowledge of the fact as to whether in reference to purchase of land more than 12.50 acres company has any permission from the State Government or not.

As per his statement all investors have made investment of money in the main company namely Golden Forest and not in any associate company. As on date the companies have passed proposal and have been allotting lands to investors as per their investment.

From their statements and the records produced it is proved that: -

- * As per the business of Golden Forest at large scale lands have been purchased in its own name and in the names of its Associate Companies.
- * Permission from government was not issued for purchase of land at large scale.
- * Golden Forest Company was knowing fully well that one company cannot retain more than 12.50 land therefore this company in a well planned manner has formed several associate companies and has purchased lands.
- * Purpose and Intention of the Golden Forest Company since inception was to frustrate the prohibitions under rule relating to lands.
- * For purchase of land money had come from Golden Forest Company and Golden Forest Company received money from its investors.
- * By getting proposals passed by the associate companies of Golden Forest Company the lands are being allotted to the investors.

(iv) With regard to the documents relating to detail of sale documents in favour of company submitted by P.W. 1 and P.W. 2 the District Government Advocate has prayed that if these details are certified then, the registration numbers of sale deeds, registration date, purchaser companies, details of income etc. will be recorded in the registers of the Office of Registrar. Therefore, if the said details, if get certified by the office of Dy. Registrar then on this basis it would stand proved that the lands in fact have been sold to the companies and accordingly due to violation of Section 154(1) of the Act all the lands transferred will stand vested in the State Government under Section 166/167 of the Act and for this purpose the sale deeds would be held to be sufficient evidence.

On 14.05.03 and 15.05.03 the Nayab Tehsildar and District Government Advocate (R) conducted inspection of all documents in the office of Dy. Registrar, Dehradun. During course of this inspection the said documents,

forms which were submitted by the P.W. 1 and PW 2 were made available, were found to be correct. In other words as per the details provided as on prescribed date in favour of prescribed company by way of prescribed sale deed number the land has been sold, have been mentioned in the registers and index registers in the office of Dy. Registrar (Second), Dehradun. On this basis the Dy. Registrar (Second), Dehradun has certified that in the records of his office, complete details of these sale deeds have been recorded in records of his office as per rule. Dy. Registrar Shri J.B. Singh has appeared in Court on 26.05.2003 and has tendered statement on affidavit that the details of the said formats being certified are true and correct and as per these details certified true copies of sale deeds could be issued. In this way in light of the formats enclosed it stand proved that Golden Forest and its Associate Companies have purchased land on large scale in Tehsil Vikasnagar. Now, when truthfulness of the said list has been proved,

therefore, it is clear that other all companies are the associate companies of the main company who have purchased the land for Golden Forest only. In light of the aforesaid detail, now if any cultivator or any company states that he has not sold or purchased the said land then burden to prove this lies on them. This list is enclosed in file no. 6.

In this case several case records are pending wherein for case there is only one i.e. in all case records lands have been purchased by associate companies of Golden Forest or by their agents such as in village Rampur Kalan, in the names of associates companies of Golden Forest there is total 12. 6650 Hect. land which have been recorded in Khatauni after mutation and accordingly copy of Khatauni has been enclosed on case record. Case Record Nos. 38/2000-01, 36/2000-01, 46/2000-01, 45/2000-01. Golden Tea Resort Ltd. (17.45 acres), H.P.C. Resort Ltd. (25.04 acres), Indian Overseas Peace Foundation Trust Ltd. (23.28 acres),

Ujala Fincap, Eka Fincap, Ena Fincap, Isa Fincap etc. companies have purchased lands.

In village Suddhowala- Sonalika Builders, Soma Builders, Wara Estate, Ijya Fincap, Daya Impex etc.

In village Sheesham Wada - Kalya Properties, Palya Properties, Padmarupa Properties, Panda Builders, Para Real Estate Pvt. Ltd. etc. In this way approximately 83 companies have come into light (number of associate companies may be more than this. List is enclosed in file no. 1).

On this ground the District Government Advocate has argued that main company is Golden Forest Co. India Ltd. who by forming other small companies, in their names, to save from prohibition under Section 154 of Act, lands have been transferred in their names. These companies were provided money by the main company Golden Forest Company for purchase of land, therefore these all companies could be justified to be treated as one company. Under the Companies Law each company has its own

Independent entity but there is no such permission that to frustrate any law company could be formed. In support of his this statement he has also produced several judicial citations. In reference to the proposals of the companies the D.G.C. (R.) has argued that this fact also proves this fact that all companies are one. In the Khasra numbers of the land sold still names of original cultivators are continuing because the concerned companies have not instituted proceeding of mutation and land mafia is taking undue benefit out of this and are re selling the lands sold to the companies.

Since on behalf of the opposite parties, even after notice, no one has appeared for long time, therefore, while proceeding this case ex-parte, under the provisions of Uttar Pradesh Zamindari Abolition Act, the transfer which is in violation of section 154 of Act have been vested in the State and accordingly in the year 1997 the Sub Divisional Officer, Dehradun, in Case No. 37/96-97 of Golden Forest earlier an area of 12.50 acres lands has been released in favour of company. Therefore, the additional lands have automatically

been vested in the State Government under the effect of Section 154 of the Act. It would be appropriate to pass an order by the Court for recording of land in revenue records.

I have minutely perused the case record and the evidences available. In light of the aforesaid facts and evidences produced by the District Government Advocate (R.) the facts and analysis, in short, of this case are as follows:

Golden Forest Company India Ltd. came into existence in the year 1987. Main object of this company, as per its memorandum of association, have been as follows:

1. Subject to the rules of Reserve Bank of India and the provisions of Section 58-A of the Companies Act 1956 and the rules made there under to receive money, deposits on interest or otherwise and to lend money and negotiate loans with or without securities to such companies firms or persons and on such terms as may seem expedient and to guarantee the performance of contracts of firms provided that the company shall not

- carry on the banking business as defined in the Banking Regulation Act, 1949.
2. To carry out in India, in all its branches the business of Hire -Purchase, Housing, General Finance & Investment, supervision and control of any business or operation and to carry in business of agricultural farms, lands and development of agricultural farms for the public.
3. To subscribe conditionally or unconditionally, to under write, issue on commission or otherwise take, hold, deal in and convent stocks, shares and securities of all kinds. (list no. 2).

In this way the main object of the Golden Forest Company was to work like the Banking, under which the said company had got the money invested by the public at large on the agreement that the company will return the invested money after a prescribed time limit with a certain profit. Along with this the Company will develop big-big agricultural farms and will do plantation of high quality plants (such as Sagaun) and after a

certain period limit the benefit received out of those trees will be distributed among the investors as per their investments. In light of these objectives company appointed its agent in different cities for this purpose that they get the money invested by the general public. Since main objective of company was forestation and for this purpose it required lands in large quantity. Therefore first of all company first used the money invested for purchase of land at different places. For purchase of said land in its name and names of its associate companies, the Golden Forest Company, appointed its agents for this purpose. The agents of the company got the lands transferred from cultivators by way of sale deeds, agreements, power of attorney etc. and got these documents registered in the names of several small companies formed for this purpose instead in the name of Golden Forest India Ltd. After registration, company produced those registered deeds for mutation in concerned Tehsil wherein as per rule the competent conducted mutation proceeding as per rule. Since the year 1994-95 the series of purchase of said lands by

the companies and continued upto 1999-2000.

The land which were initially mutated in the name of company therein since in the name lands became more than 12.50 acres, therefore, in the year 1997-98 due violation of Section 154 of U.P. Zamindari Act, lands were vested in the State Government under Section 166/167 of the Act. The company due to this proceedings did not produce the registered documents before competent authority for mutation in its favour and in favour of its associate companies, (during that period there was no arrangement that after registration copy of sale deed will be sent by the Dy. Registrar, Tehsil for mutation). As a result thereof mutation proceedings could not be proceeded in favour of purchaser company with regard to maximum numbers of Khasra transferred in favour of company and even today the properties are continued recorded in the names of original cultivators (vendors). In this way as per record status of the land purchased by the Company Golden Forest and its Associate Companies are as follows: -

1. Such Khasra Numbers, which have been stand recorded in revenue recorded in the name of Golden Forest India Ltd. and other Associate companies after mutation. Such all Khasra Numbers have been vested in the State Government under section 166/167 of the Act while leaving 12.50 acres land.
2. Such Khasra Numbers which have been sold in the name of Company, but those numbers have not been mutated in favour of purchaser company and on those Khasra Numbers the names of seller cultivators are continue recorded. But possession over land is of company or its agent or at some places of original cultivators. After rescission in the business of Golden Forest Company India Ltd. and after lodgement of the Managing Director of company R.K. Sayal in Jail there had been huge change in the circumstances and most of the lands purchased by the company have been taken into possession either by its agents or by the original cultivators themselves and by committing

cheating on the public at large they have started re selling of the land through the power of attorney or in connivance with the original cultivators. On the other hand the investors of Golden Forest Company started mounting pressure on the company for refund of money invested by them. Company is not in position to return the money to its investors, therefore, Golden Forest Company which had purchased lands in names of its different associate company, passed resolution /proposal with the contention that -"Company do hereby resolve that the lands situated in a particular village are hereby allotted in favour of a particular person with contention that the said land be allotted among the investors as per their investment or after selling the same the amount received out of which be distributed among the investors as per their investments." (enclosed in file no. 3): On the basis of such resolution the person in whose favour the said resolution has been given, has submitted application in Tehsil office for mutation in the

name of Company with contention that the said land be mutated in the name of said company in revenue record so that they could be able to sale the said property.

At present the cases which are pending under Section 166/167 of the Act, out of which there are most of the cases wherein report has been submitted on the basis of possession of the company i.e. these Khasra numbers have been sold, but in Khatauni the names of original cultivators have been recorded and on site possession is of the Company or its agent or of the cultivator himself. These khasra numbers have been sold to Golden Forest Company. This has to be decided while proving the aforesaid evidences as to whether there has been violation of Section 154 of the Act or not. In this way, in light of the aforesaid facts it has to be seen that-

1. Whether Golden Forest Company India has purchased land on large scale and has violated provision under Section 154

of the U.P. Zamindari Abolition and Land Reform Act?

2. Whether for purchase of land more than prescribed limit Company has obtained permission from the government?
3. Whether while treating the other small companies to be associate company of Golden Forest Company, the lands purchased by these companies could be added in the lands purchased by Golden Forest or not?

Prior to analysis of the aforesaid issues it would be important to consider as to what is the prohibition in acquisition of land under the provisions of U.P. Zamindari Abolition and Land Revenue Act and a company is entitled to hold how much land. In light of the arguments tendered by the D.G.C. (R.) and legal provisions it is clear that-

Any company lawfully registered has been granted category of juristic personality under legal jurisprudence. In other words a company has its own independent legal personality and in this

forms upto this extent it has same right which is a natural personality. In this form there is no doubt in this fact that under the provision of U.P. Zamindari Abolition Act no company could hold lands more than 12.50 acres. In this case of Golden Forest Company, this fact is important to examine the fact, while considering the aims and objectives of this Company, as to why the said company required to form other associate companies and to purchase land in their names? Under Section 154 of the U.P. Zamindari Abolition and Land Reform Act any person can hold maximum 12.50 acres land in whole state of Uttar Pradesh. Section 154(2) provides that - "State Government by its ordinary or special order may grant right for transfer of land more than aforesaid prescribed limit". Therefore, it is clear that Company being a legal personality it also has right to hold 12.50 acres land. Otherwise it has permission from State Government to hold land more than this. Now question arises as to whether the said company had obtained permission from State Government to acquire land more than 12.50 acres?

Answer itself is clear that if Golden Forest had permission from State Government to hold land more than the prescribed limit then company would have also produced the same at the time when in 1998 the Assistant Collector, 1st Class, Dehradun had vested the land in State Government due to violation of provision under Section 154(1) of the Act. Till date no such permission is in light. Here it is an important fact that if company had permission to hold/transfer land more than 12.50 acres then, this company would not had any requirement to form its other associate Company and to purchase the land in their names.

Apart from other different characteristics of U.P. Zamindari Abolition and Land Reforms Act, 1950 there is one characteristics that this Act prohibits accumulation of land with one person more than limit. This Act has abolished big cultivation has granted a equal category i.e. in U.P. no cultivator has to retain land more than total 12.50 acres. Not only this, if in future even if they wish to gift or donate then also they

cannot retain land more than 12.50 acres with them.

Section 154(1) of the said Act clearly provides that -"except the arrangement provided under sub section (2) , no bhumidhar will have right to transfer any land, except the Tea Estate, by way of sale or gift and even if as a result of any such sale or gift he becomes entitled for such land which becomes more than total lands admeasuring 5.0586 Hect. (12.50 acres) to be hold by his family in Uttar Pradesh then"

Sub Section (2) of Section 154 provides that- Under the then prevailing law of land under the prohibition of any clauses or sub clauses of law the State Government under its ordinary or special order may grant permission for transfer more than the limit admitted in Sub Clause (1), if it has any consent such transfer has been made in favour of registered cooperative society or an organization meant for donation purposes and it does not have sufficient land for its requirement or this transfer has been made in favour of the public at large."

Prohibition under Section 154 of the Act is exempted on these three categories under Section 154(1) of the Act i.e. (1) Tea Estate, (2) Registered Cooperative Societies and (3) on sale of land for execution of decree by Court.

Section 166 of the said Act provides that: -

"Every transfer made in violation of sub-clauses of this Act shall be void."

Section 167 of the aforesaid Act provides result of the transfers declared to be void under section 167 of the Act that: -

"The subject matter of the transfer will stand vested in the State Government free from all encumbrances from the date of transfer itself"

Objective of Golden Forest Company India Ltd. is clear from its Memorandum of Association as to what will be the business of said company. Main business of the company, as it is clear from its name, was of forestation and for this objective this company had requirement of land in large quantity. Company had knowledge of the fact that it cannot transfer or retain land more than its limit and even permission is obtained from the

State Government then it would not be such as was the requirement of the company. Therefore, the Golden Forest Company in a complete well planned manner formed several companies so that land could be purchased in the names of these small companies. Till date such small companies have come into light by way of lands have been purchased in Dehradun District for Golden Forest Company and these companies are approximately 83 in numbers. These small companies are the associate companies of Golden Forest itself and these could be proved on the basis of following facts, evidences and arguments:-

1. Within the period of one month itself, in one year, these companies are purchasing lands at large scale. (For example on 21.12.96 Dama Construction Company, Iriya Fincap on 15.10.96, on 18.10.96 Gomai Marketing, on 13.09.96 Zota Fincap etc. for detail file no. 4 enclosed with case record may be perused).
2. Whether under its Memorandum of Association these companies are authorized to purchase land at such large scale?

3. If authorized, then what are the assets of these associate small companies? What are its source of income? What is its deposited capital so that it has purchased land at such large scale.
4. Director/ Managing Director of these all companies are R.K. Sayal or any member of his family. By whatsoever resolution of company the lands purchased by company submitted for mutation, Managing Director of those all is R.K. Sayal which proves this fact with affirmation that formation of these small companies was only for purchase of lands for the main company Golden Forest India Ltd.
5. Investors have made investment in Golden Forest Company and this fact need not to be proved and this is self proved. Earlier this fact has already been proved by way of Memorandum of Association of the company. The fact that the associate companies owned money from its investors and lands have been purchased out of the said money and company has been allotting the lands,

purchased by it, in favour of its investors as per their respective investments on the basis resolution passed by the company because now company is unable to refund money to its investors (Resolution of any company could be perused, file no. 3).

In reference to the aforesaid argument of any associate company the following points are fit to be considered:

- (A) Whether in those companies (such as Soma Builders, Sonalika Builders, Vara Estate, Ijya Fincap etc.) the investors have made investment of money?

Answer is in no. There is no such fact has come fore nor there is any such proof. Against this there is proof that one Chief Development Advisor of Golden Forest Company namely Sh. N.P. Gupta (P.W. 1) has written a letter to the Commissioner, Garhwal Division, Dehradun, wherein it has been mentioned that - "Company has allotted its land situated in Suddhowala to us alongwith list of investors for payment

/allotment to its investors, ... request is that the aforesaid allotted lands we want to allot to the investors therefore"

In this letter it has been stated about which investors of "company" and it has been concealed in very clever manner. The fact that these investors are of Golden Forest Company and since Golden Forest Company has failed in refunding the money to its investors, has allotted its land to its investors as per their respective investment. Since these lands have been purchased by the associate companies of Golden Forest (such as Vara Estate, Soma Builders, Sonalika Builders) therefore, resolution has been passed by these associate companies and these resolution bears signature of R.K. Sayal as its Director who is also the Managing Director of company Golden Forest India Ltd.. There is clear statement in the affidavit submitted by Shri Gupta (P.W. 1) and Shri Balvindra Sayal (PW 2) that - investors have made investment of their respective amount

in main Company Golden Forest India Ltd.
(Respectively Para No. 2 and 12).

In this way it stand proved that: -

1. Investors have invested money in main company Golden Forest Company India Ltd.
2. The said amount invested was used by Golden Forest Company India Ltd., as per its objective, for purchaser of land.
3. In purchase of land the company has used its associate small companies and these associate companies purchased lands in their respective names.
4. In this way money was of main company which has been used by the small associate companies for purchase of land at large scale for main company.

(B) Whether the said small associate company has permission to do business like Banking business? Whether there had been any such business provided in its Memorandum of Association?

The Reply is that no such company has submitted any record. Even though burden to prove this has been on the defendant company. If the associate company does not have permission to do business like Banking and if it has obtained investment of money from public at large on some terms and conditions then this act of the company is illegal and is also fit to be prosecuted under the criminal law. It is clear from the statement of PW1 and PW2 that in those associate companies there were not investment.

In this way it stand proved that the small associate companies have been formed purposefully to cheat the law so that more and more land could be acquired in its name and could be saved from the prohibitory clauses of the Income Tax, Land/Revenue Laws or could obtain relaxation.

- (C) Even if it is presumed that in these associate companies (such as Soma Builders) the investors have invested their money, then as to what was the compulsion of this company

to pass such resolution and to allot its land to its investors?

The reply is that in reference to such associate companies there has not been any important fact into cognizance on the basis of which it could be said that due to the particular fact the company has to suddenly pass resolution with regard to its land that land should be allotted to its investors on the basis of money invested by them. Whether all companies such as Vara Estate, Sonalika Builders, Soma Builders, Ijya Fincap etc., which are being argued to be separated from Golden Forest Company, turned to be bankrupt together or their business dropped together that they on the same date 05.12.2002 at same time 11.30 a.m., the aforesaid resolution required to be passed by only one Director R. K. Sayal? The fact and truth are totally different; neither these associate companies themselves have turned to be bankrupt nor their business has dropped. It is the main company Golden Forest whose business has dropped to bottom

and is unable to return money of its investors. Therefore, it has been allotting aforesaid land which is in the name of some associate company in the place of money by way of resolution.

In this way this stand proved that: -

Money is of Golden Forest Company and by using this money the associate companies have purchased lands in different villages for Golden Forest and when main company Golden Forest has become unable to return the money to its investors then on this company has resolved to return its land, which has been purchased in its own name or in the name of its associate company but has not been mutated, to its investors as per their investment that those land be allotted to the investors or employee of the company such as N.P. Gupta, will sale those lands and repay the money to investors (para 7 of affidavit of P.W. 1)

In reference to the Resolutions passed by different companies the following facts are fit to be considered:

- (1) Sections 189 to 192 of the Indian Companies Act provides with regard to resolutions relating to purchase by company. Company can pass two types of resolution (i) Ordinary Resolution (ii) Special Resolution.
- (2) Section 192 and 194 of the said Act provides that such resolution wherein company resolves to sale its property or to allot or mortgage the same to another then such resolutions necessary to be registered before Registrar of Companies.
- (3) In reference to the aforesaid, the resolution passed by the associate company of Golden Forest(which is on record) is ordinary or special resolution, whether company is registered with Registrar of Companies or not, in this regard the circumstances are not clear, but it is the statement of people submitting such resolution that the resolution is as per law. Since truthfulness of

the resolution submitted is doubtful also because the registered offices of different companies are at different places but as to how the same director of all companies on the same date 5.12.2000 and at same time in the morning at 11.30 a.m. has passed resolution?

- (4) Whether resolution passed by the Company is valid or invalid is not important for the provision under Section 154 of Uttar Pradesh Zamindari Abolition Act, even if it is presumed that Resolution is forged then also it will not have effect on the proceeding u/s 166/167 of the Act because, only because the resolution being forged or wrong the company cannot say as to whether it has purchased the particular Khasara number or not, or it does not have in its name. For example an associate company namely Sonalika Builders Pvt. Ltd. states that it has not passed any resolution with regard to Khasara No. 184Min. area 1.687 Hect. in village Suddhowala or the resolution passed is forged, then as to whether Sonalika

Builders denies this fact also that it has not purchased the Khasra No. 184 Min. area 1.687 Hect.? Though the Resolution is forged but land is of Sonalika Builders, and Sonalika Builders is the associate company of Golden Forest Company. Therefore, the land purchased (acquired) by Sonalika Builders will be added for 12.50 acres for the purpose of Section 154 of the Act.

- (5) In this way whether Resolution is legal or not, it does not have any effect on this case, instead, it has used for the purposes of interpretation of the facts and different circumstances. The Resolutions produced by the employee of Golden Forest Company puts light on the fact that the said associate companies have purchased the lands out of the money of Golden forest Company for Golden Forest Company and now when Golden Forest Company about to close down then has passed resolution for allotment of its land to its investors in accordance with their investments. Now can any knowledgeable person say whether those companies are not

the associate companies of Golden Forest Company?

Now even if any associate company argues that it is not the associate company of Golden Forest or is different from that, then burden of proof lies on that to prove that it is different from Golden Forest Company, its business is different and it has not purchased the lands on large scale using the money invested in Golden Forest Company. It should produce its account detail of the said particular year and state as from where such a heavy amount has come into such a small company? The Companies committing such social and economical offence should be taught lesson. In a country like India where the maximum population is of middle class family and they very limited source of income and under the inducement of such companies whereby they have been offered double or triple of their complete saving, and after sometime these companies used to cheat them and flee away. Therefore, it becomes

necessary that such cheater companies should be punished in the interest of public where and how it is and under the law wherein illegality has been committed and if sufficient evidence is available with regard to their illegal act and the same are being proved. So that the companies involved in such business activities should be discouraged and they and every person should have understanding that there is Rule of law and no person is beyond the law.

The Golden Forest Company in a well planned manner has violated the prohibitory clauses of law of lands in Uttar Pradesh and that not only produces a wrong example for others instead is also a wrong guidelines that if land has to be purchased on large scale then small companies should be formed or firm registered and lands as per wishes could be collected. In this way, if persons gets right to accumulate land then certainly the purpose of Uttar Pradesh Zamindari Abolition Act and Land Reform Act will stand defeated, for the

different purpose this Act has been passed, out of those there is one that -"Land should not be allowed to be accumulated in the hands of one person". The Legislature of Uttar Pradesh is serious for this purpose upto the extent will be shown from the following that-

- (1) In the first Act the limit of acquisition of land was 30 acres, but by way of Amendment Act 1958 it has been reduced to 12.50 acres.
- (2) In Section 154(1) prior to 7 December 1974 the word "family" was included- Transferee Husband or Wife (as may be the condition) and their minor children. Under the definition of family mother and father were not included. Therefore when any transfer was being made to any minor child then the limit of 12.50 acres was not being added in the land of his mother father. In this way, minor was included for their mother father in family, but mother father did not fall under the family of minor. And taking benefit of this situation the clever persons used to acquire land in the names of their minor children and

saved from the provision under Section 154 of the Act.

But after that date by way of Uttar Pradesh Land (Amendment) Act 1974 the said defect was removed and the word "family" defined as "the family of Sankramity, his wife or her husband (as the case may be) and their minor children". And in this way, this Act has maintained its object that "accumulation of land should not be with some people" intact.

In light thereof if activities of Golden Forest Company India Ltd. is being seen then whether it can be said that the said activities of Company is proper? Whether company has not acted against the soul of Uttar Pradesh Zamindari Abolition Act? And the manner in which it has been done, is amounting to well planned conspiracy to accumulate land by cheating the said Act? Answers of all those questions are affirmative and I am agree with the arguments tendered by the D.G.C. (R.) on these points. From this it stand proved that company has formed its associate companies with the purpose to defeat the provision

under Section 154 of the Act. . Under such circumstances, the fact for consideration is as to whether law allows this fact that if an act cannot be done in legal manner directly could be done indirectly? In other words one company can acquire 12.50 acres land but not more than this. But if it has requirement of land more than this then it should form an another company and can acquire land more than the prescribed limit on this basis. Each company has one separate unit? Whether such permission could be granted that, " any illegal act can be done by transforming it technically legal"? This is the clear principle under law that -"if you cannot perform an act lawfully and directly then you can also not do it indirectly."

There is permission to run bonafide industry or business by incorporating companies with honesty, but it is also necessary to save the public from cheating and forgery. The independent legal entity of company could be protected in totality only when it is in accordance with those material

policies from where it gets life. If a person gets benefit out of incorporation of company then it is also its duty to do its business as per the object of the company. Undoubtedly personality of an incorporated company is different and independent from its members. The famous example of this principle gets from the case of Soloman Vs. Soloman & Co. (1897 AC 22) decided by the House of Lords. In this way every company either it is associate or small or its Board of Directors belong to all members of one family, does not affect its independent existence and in this form Golden Forest and its Associate Companies all are separate and each one is Independent to do its business as a separate unit.

But, this fact is also important that it should be looked into with regard to each incorporated company that:

1. Control of the company is in the hands of which people.

2. As to what are the purpose of its Director/ Manager/ Members for such incorporation?
3. Whether company has been incorporated to defeat any law or to save from any Act or any legal responsibilities or tax liabilities. (Gilford Motor Company Vs. Horn (1933) 1 CH 1935; Workmen Vs. Associate Rubber Industry Ltd. (1985 4 SCC 114, 118 -119)
4. Company has been established in bonafide manner or not.
5. Whether it is against the public policy. (L.I.C. Vs. Escort Limited (1986) 1 SCC 164, 336-337)
6. Whether company has been incorporated to save from any responsibility? (Union of India Vs. Playword Electronics (1990) 68 Comp. Case 582 AIR 1990 SC 202; Sir Dinsahaw Manik Ji Petit, Re. AIR 1927 Bom. 371)

Under the Companies Law to determined aforesaid circumstances the doctrine of

Lifting of Corporate Veil is being applied by the Courts. In this case of Golden Forest Company if veil of incorporation is lifted and a wide interpretation of this principle is done then in reference to the aforesaid points the following circumstances come fore:

- (1) Control over about all associate companies is in the hands of the people who are in the Board of Directors of main Company Golden Forest i.e. mainly the people from family of R.K. Sayal.
- (2) Object for incorporation of such associate companies are clear i.e. to purchase / acquire lands at large scale for the main company Golden Forest Company. Because one alone company can acquire only 12.50 acres land only.
- (3) From incorporation of associate companies it is clear that it have been incorporated to defeat the provision under Section 154(1) of the Uttar Pradesh Zamindari Abolition and Land

Reforms Act (by earlier detailed analysis this fact has been proved).

(4) Earlier it has been proved that incorporation of associate companies has been done in a well planned manner, under the veil of independent legal entity, and has acquired land in large quantity by defeating the law relating to law of Uttar Pradesh and in this it has got success. Therefore, it cannot be said that the said associate companies have been incorporated in bonafide manner.

(5) The said act of the company is undoubtedly against the public policy. The public at large has invested their money in main company Golden Forest with the purpose that the company will earn profit out of its business and thereby they will also get profit as per their investments. But this company allowed its another (associate companies) to use the money of its investors willfully so that they could acquire land for the main company. Now

when the Golden Forest Company is going to destroy, then for refund of money of its investors its associate companies are passing resolution with regard to their lands.

In this way, from the facts of this case, the circumstances is clear that the Golden Forest Company India Ltd., a holding company and its associate small companies about 83 in number have come into light as its subsidiary companies. (the number of associate companies may be more than 83).

The Subsidiary Companies loses its entity under two circumstances: -

FIRST, the Legislature while keeping the legal proceedings apart can say that all companies falling under one ground should show their respective group face. Accordingly sub clauses under Section 212 to 214 of Indian Companies Act will be applicable.

SECOND, while depending on the facts of a case, court can deny in holding independent entity of a subsidiary company. Out of such

circumstances, one is -"complete management of subsidiary company by holding company" (Freewheel India Ltd. Vs. Ved Mishra (Dr.) (1969) 1 Comp. L. J. 138, 142-143)

In the case of Golden Forest Company India Ltd. under the aforesaid circumstances, this court denies to hold the subsidiary company as independent entity on the ground that Golden Forest Company itself was providing money to its associate companies for purchase of land. In this way the holding company Golden Forest was managing the business of subsidiary company. And this is the reason that the small company even after having capital of Rs. one lakh have been purchasing lands worth rupees thirty -thirty lakhs at one occasion. This fact could be understood very well by example of one company namely Ijya Fincap. This company was incorporated on 18.10.96 and its capital declared has been rupees one lakh. This company on 01.11.96 purchased land worth approx. seventeen lakhs rupees in village Suddhowala by way of Bainama No. 3949, 3952 and 3948. As from where this company received such a huge amount

which is a question to be considered. Today while the Golden Forest Company is going to be wound up then as to why Ijya Fincap is passing resolution to allot its land to their investors as per investment? If previous evidence and statements of employees of company are being seen then this money undoubtedly is of Golden Forest Company and has been allotting its own land to the investors of its main company. Similarly, example of other associate companies could also be given if date of their date of incorporation and declared capital be known.

Therefore, this stand proved that business of all subsidiary companies are being controlled by the holding company Golden Forest. Now, if any company states that it is separate from Golden Forest then while clarifying its own capital and account of its expenditure the burden to prove this fact is on the said company which makes such statement.

It is the established principle of law that, "circumstances itself is proof" (*res ipsa loquitur*)

and this principle very well applicable in this case of Golden Forest that all the circumstances clearly indicating the fact that "aforesaid small companies are associate companies of Golden Forest Company who have purchased lands in their respective names for Golden Forest India Ltd. (They are the sister concern of the Golden Forest Co. India Ltd.).

On the basis of aforesaid arguments and evidences when it has been proved that Golden Forest Company is the main company and for assistance of this company other companies have been incorporated so that while cheating the law more and more land could be acquired. Therefore, the lands purchased by associate companies will be included for the purpose of Section 154 of the Act.

Here it can also be argued that, any revenue court could not have jurisdiction that it should use the doctrine of lifting of corporate veil with regard to company law. In this regard it is pertinent to mention that Revenue Law itself is a

complete law. Under this all cases relating to revenue and law relating to lands are being decided with regard to which even the civil court does not have jurisdiction. If any provision under laws relating to land has been violated then the Revenue Court while taking assistance of any such substantive law will travel upto the depth of the case in the interest of said law and in the interest of public and can interpret the same as per the laws relating to lands. The doctrine of lifting of corporate veil is being used in India, Supreme Court in several case to make the circumstances of law clear in this regard. (Charan Jeet Lal Vs. Union Bank of India, AIR 1951, SC 41; 1950 SCR 869 52). The law declared by the Supreme Court is binding on all Courts of the Country. It is clearly provided in Article 141 of the Constitution of India (The doctrine of stare decisis). "Revenue Court" also falls under the category of all courts. Therefore, the Revenue Court could use the aforesaid principle very well to look inside the personality of such person who under its incorporated personality has been violating the

laws relating to land to make the circumstances clear in reference to the said company.

Section 167 of the Uttar Pradesh Zamindari Abolition Act provides that; every transfer being declared to be void under Section 166 of the Act will stand vested in State Government free from all encumbrances.

On perusal this section makes it clear that in Uttar Pradesh as soon as more than total lands 12.50 acres is being transferred in favour of transferee, from the date of transfer it will stand to be void and will stand vested in government. Under such circumstances, now question arises as to whether it is necessary to serve notice on the transferee whose more land in excess to 12.50 acres stand vested in state government? The Provision under Section 167 of the Act does not permit for service of any such notice because the word which has been used is that "will stand to be vested" and not "will be vested". If "will be vested" is being used then certainly such transferee whose right has been affected will

required to be served notice.. Prior to Uttar Pradesh Land Law (Amendment) Act 1982 the Section 167 was as follows-"under this section after dispossession in each case the transferor will be made party."

But, in the present case the phrase which has been used in Section 167 of the Act therein it is not necessary to serve notice on transferor or transferee.

The phrase used under Section 166 is "Shall be void".

This means, as soon any transferee obtains land more than 12.50 acres then from the date of transfer itself it will be presumed to be vested in State free from all encumbrances. In other words there will have to be only clarified that transferee has land more than 12.50 acres and ascertaining evidence in this regard is "Khatauni". But under such circumstances wherein the transferee has got the land transferred but has not produced for mutation and due to which his name has not appeared in the Khatauni i.e. the sale deed has not produced the sale deed for mutation (as there

was previous arrangement that purchaser himself was filing application for mutation alongwith sale deed). Under these circumstances whether the "Sale Deed" could be held to be "determining proof" or not. In the opinion of court, the sale deed be also for the purpose of aforesaid sections a determining proof apart from the Khatauni. There are following reason to held this:

- (1) Transfer has been made, in other words there has been change in ownership and possession and its determining evidence is registered deed.
- (2) Nature of mutation proceeding is fiscal which only determines rent (malgujari). (Smt. Lakhapati Versus Revenue Board, 1984 R.D. 378).
- (3) If due to any reason purchaser does not conduct mutation in Khatauni, then also the purchaser on the basis of Bainama executed could transfer the title. (Devi Singh Versus Sukha & Ors., 1994 R.D. 48) i.e. merely due to not doing mutation does not affect his ownership right. In other words, " the day on

which purchaser got the sale deed executed in his favour then from that day itself he could use his ownership right on that land.

- (4) The Phrase used under Section 167 of the Uttar Pradesh Zamindari Abolition Act that "from the date of transfer itself the subject matter of transfer will stand released and vested in favour of State Government." It is clear that the date of transfer is the date on which the sale deed has been registered and not from the day of mutation in Khatauni. Section 54 of the Transfer of Property Act defines Sale wherein for transfer of immovable property 'registration' is being declared to be mandatory. Hon'ble Supreme Court has held in the case of Hamada amal Versus Awadi Appa Pathar (1991 (1) M.P.W.N. 10 S.C.) that, "the date on which deed for sale is registered will be held the date of "transfer". Therefore, intention of Act is clear that if any transferee willfully does not act upon mutation proceeding but after transfer he accumulates land more than 12.50 acres (such as sale deed or gift deed)

then certainly the said sale deed executed will be sufficient evidence for the purpose of Section 154(1) and on that basis the subject matter of transfer shall stand vested in State Government. There is neither any objection nor any hindrance in applying this principle in reference to Golden Forest Company. No person can be permitted to save himself from result of Section 166/167 of the Act even if he has accumulated land more than 12.50 acres by not effecting mutation. If due to technical reasons such relaxation are being given then certainly, people will take benefit in the form to purchase land in huge quantity and came into possession thereof, use the same but not get mutation effected in revenue records and continue to be saved from results of section 166/167 of the Act. If there has been such then again it would be against the soul of provision under U.P. Zamindari Abolition Act. Here it is also the point for consideration that to what was the reason that Golden Forest Company or its associate company purchased land in year

1996-97 and till date has not got the same mutated. This act of the company shows its modus operandi.

- (5) There is no effect of this section on the transferor (seller) because he sells his land as per his wishes and obtains sale consideration amount. The responsibility is on the transferee (purchaser) that he should take into account the fact that he should not acquire such land which would be more than 12.50 acres and if this becomes more then as per rule then he (purchaser) will have face the consequences. Therefore, under the provision of said act it would not be proper to serve notice on the transferor. Even though in this case the transferor and transferee both have been served notice by way of summon and publication and transferee company has appeared time to time through its Advocate and has submitted objection time to time.

Proceeding under Section 166/167 of the act is based on substantive evidence, therefore, in reference to transfer under the condition of

receipt of the substantive evidence (Khatauni or sale deed), there is no necessity to proceed such case, instead, under the effect of Section 167 that itself will vest automatically. Nature of Section 166/167 of the Act is administrative. For application of this section there is only satisfaction that more than 12.50 acres land has been transferred in favour of the transferee.

In the present case the seller cultivators have also been served summons that they should submit their objection. Since out of them in some cases proceedings under Section 166/167 have been instituted on the basis of possession of Golden Forest Company or its associate companies. Therefore, the sellers have been afforded opportunity that they should state that they have not sold their lands to Golden Forest Company. Otherwise there was no necessity to serve them notice. Out of these in some case records following objections by Seller Cultivators have been received which have been disposed after providing proper opportunity of hearing.

These objections could be divided into following four categories: -

(1) Such objection in which it has been stated that land has not been sold to the company but sufficient evidence is available on the basis of which it stand proved that the said land has been sold to the company and on this basis the said land will be added for the purpose of Section 154 of the Act. For example

(a) In Case No. 25/00-01 Smt. Ashla Devi w/o Late Prem Singh has filed affidavit of the contention that she has not sold her land situated in Khasra No. 716Chha area 0.437 Hect. in village Suddhowala to Golden Forest Company. Statement of objector is wrong and accordingly false statement has been made in affidavit. She has sold her said land in favour of Ijya Fincap Pvt. Ltd. on 10.10.96 whose registration number is 3791. Accordingly the objection is rejected.

(b) Shri Arjun Sharma has filed his objection that he has purchased the land in Khasra No. 1295

in village Central Hope Town from original cultivator and this Khasra Number is not sold to the company.

The said Khasra Number by its original Cultivator namely Navtej Singh Bens etc. some portion has been sold on 2.7.97 in favour of associate company of Golden Forest Company namely Padmrupa Constructions Pvt. Ltd. and on 3.7.97 remaining portion has been sold vide the sale deed number 2713, 2716, 2727, 2730, 2733. Accordingly objection is rejected and area of the said Khasra Number is being added for the purpose of Section 154 of the Act.

This example is also related with this fact and which proves that the cultivators first of all have sold their land in favour of Golden Forest Company and now later on to some other.

- (2) Such objections wherein the original cultivator/ Khatedars have stated that they have sold portion of land of their khata in

favour of company but proceeding is based on complete khata.

For example-

In Case No. 29/00-01 Ramnath son of Rajaram has submitted objection on affidavit that he has sold his land in Khasra No. 1439Ka area 0.030, 1440Kha area 0.097, Khasra No. 144Ja area 0.182 total 0.259 land in favour of Golden Forest Company but has not sold the land in Khasra No. 276Gha area 0.020, Khasra No. 389 area 0.028, Khasra No. 491 area 0.057 total area 0.105 Hect. in favour of Golden Forest Company but complete land has been seized u/s 166/167. Therefore, the said land which has not been sold will not be added for Section 154.

- (3) Such objections in which it is the statement of original cultivator/ khatedar that he has not at all sold his land to the company and has also submitted affidavit of this contention. In case No. 15/00-01 Ram Asare, Mangat, Hukum Singh sons of Ruliya and Sundar, Puran, Jaichand sons of Santu have

filed objection that they have not sold their lands in village Jassowala in Khasra No. 692 area 0.405 in favour of Golden Forest India Ltd.. There is no proof of sale of this land therefore, this land will not be added for the purpose of section 166/167 of the Act.

- (4) Such objections wherein such Khasra numbers have been included on which there is old Abadi and has not been sold in favour of company or there is no confirm proof of sale.

In this way upto the date fixed there were total 10 (ten) objections have been received out of which 4 has been disposed with this judgement as example. Remaining objections are being forwarded to the concerned Lekhpal with the contention that he should collect relevant supportive evidence of sale and submit the reasonable report through Tehsildar for proceeding in this Court.

In all such cases, presentation by twisting the law, finding out of technical and procedural defects therein and on the basis of such

deficiencies and the arguments in these regards is comparatively very easy. But, under the present circumstances protection of law is comparatively very difficult. Deceiving and cheating the law in such manner by big companies/ persons, making mockery of law and rules, different types of activities to save from the prohibitory clauses of law, acting against that and probably being successful in this purpose have become the fate of present time and its direct impact is on the people of India, its economy and on its substantial development. In the present case there are such examples the people have purchased such Khasra Numbers knowing fully well or without having knowledge due to cheating and concealment which have already been sold in favour of the company. The land mafia people by committing cheating with the people have unlawfully sold the land which was already sold in favour of the company and have earned unlawful profit. Due to this reason also it has become necessary to dispose off these cases at the earliest in the interest of justice and in public interest.

In this way, on the basis of statements of Tehsildar, Lekhpal and Original Khatedars, affidavits submitted by the employees of Golden Forest Company P.W. 1 and P.W. 2 and the documents and details produced by them on the basis of which the modus operandi, objectives of the company and its investors and the transfers made by them which are being certified by the Dy. Registrar it stand proved that all companies are the associate companies of Golden Forest Company. Therefore, on the basis of aforesaid analysis, arguments and evidences, I Sunil Kumar Chaudhary, Assistant Collector, 1st Class/ Sub Divisional Officer, Vikas Nagar comes to conclusion that Golden Forest Co. India Ltd. with the assistance of its associate companies has obtained/acquired more than 12.50 acres land on transfer only in Tehsil Vikas Nagar of District Dehradun, which is in violation of Section 154 of the Uttar Pradesh Zamindari Abolition and Land Reforms Act and due to this reason under Sections 166/167 of the said Act, while leaving the 12.50 acres land in favour of the company the complete remaining land which has been mentioned in

Schedule (1), are hereby vested in the State Government. Therefore, accordingly it would be lawful to record the same in the State Government in revenue records. I do hereby agree with the statement D.G.C. (R.) that 12.50 acres land recorded in the name of Golden Forest Company has been left, therefore, now the complete land transferred in favour of company are vested in the State Government with the effect of Section 154 of the Act.

ORDER

Golden Forest India Ltd. with the assistance of its associate companies has obtained/ acquired more than 12.50 acres land only in Tehsil Vikas Nagar of District Dehradun which is in violation of provision under Section 154 of the Uttar Pradesh Zamindari Abolition and Land Reform Act and due to this reason except the land left earlier under the said Act (copy of this order for ready reference has been enclosed on case record) all land from the date of transfer itself, free from all encumbrances, have been stand vested in the State Government. Since

all the said Khasra Numbers have become null and void from the date of transfer and have stand vested in State Government, therefore, all subsequent transaction, agreement or transfer in this regard will void ab initio and accordingly therein no legal right will arise. Therefore, it is hereby ordered that the names of Khatedars mention in the Khasra Numbers mentioned in Schedule No. 1 which the portion of this judgement, be expunged and in revenue record the name of State Government be recorded. Parwana Amal Daramad (mutation) as per Schedule No. 1 be issued. One copy of this order be sent to the Collector Dehradun with request that he should appropriate order under Section 167(2) of the U.P. Z.A. Act and disposes the defendants from lands in question and take the same into possession of State Government.

2. It is also hereby ordered that other Khasra Numbers situated in different villages sold in favour of Golden Forest and its associate companies be enquired into. Since those

khasra numbers have been sold in favour of the company and thus from the date of transfer those khasra number stand vested in the state government from the date of its transfer. Accordingly entry in this regard be made in revenue record. In the interest of public it would be proper to prepare a list of those Khasra numbers which shall be made available with all Lekhpals and Tehsil Headquarter so that with regard to those khasra numbers there will not be any suspicion among the public at large and such khasra numbers could be saved from further sale and purchase by way of cheating.

3. Since it has been established that the associate companies are of Golden Forest therefore in any village if any Khasra Number comes into light from which it would stand proved that the said Khasra number has been sold in favour of main or associate company of Golden Forest Company then the same should be presumed to be vested in State Government from the date of its transfer and

accordingly recorded in revenue record. But it is necessary that in such every report certified copy of Khatauni or sale deed be enclosed. In the present case if on any particular Khasra number proceeding has been reported on the basis of possession of the company and such cultivators have submitted objection that he has not sold his land to any company or has sold some area of his Khasra Number but proceeding has been done on the complete area, then with the purpose to not cause any loss to such bonafide original cultivator it is hereby ordered that every such objection which has received upto the prescribed date the khasra numbers mentioned therein should not be included in this order and be sent to the concerned Lekhpal for enquiry and he after complete enquiry and on the basis of proofs submitted by the cultivators will submit the reasonable report of proceeding through Tehsildar in this Court. Since facts in all case records of the Golden Forest are similar therefore, copy of this order be kept on all

case records. After necessary compliance the case records be consigned into record room.

Sd/-(Illegible)

(Sunil Kumar Chaudhary)

Assistant Collect 1st Class/ S.D.O.

Vikas Nagar.

The aforesaid order has been signed and pronounced by me today on this 02.06.2003 in open Court.

Enclosure : total six files

Sd/-(Illegible)

(Sunil Kumar Chaudhary)

Assistant Collector 1st Class/ S.D.O.

Vikas Nagar

SCHEDULE ONE

Name of Village	Khasra No.	Khasra in Hect.	Total
1 Bairagiwala	2761 M	0.23	

	2761 M	0.25	
	296 M	0.077	
		0.557	0.557
2	Khushalpur	448KH	0.162
		449Ka	0.081
3	Ghamoli		0.243
			0.243
4	Sisahambada	254G	0.267
			0.267
	1/4	0.231	
	123	0.162	
	187	0.628	
	164	0.105	
	167	0.429	
	1/2	0.194	
	8 M	0.081	
	2/1	0.069	
	173	0.214	
	152M	0.291	
	152M	0.680	

187M	0.308
188M	0.162
3M	0.352
174/2	0.587
159	0.344
204M	0.235
152M	0.676
218/2	0.304
552M	0.332
187M	0.380
200M	0.308
118M	0.243
319M	0.109
152M	0.352
149/2	0.352
1/7	0.231
1/8	0.121
152M	0.696

503M	0.227
521M	0.352
187M	0.376
134	0.134
135	0.134
137	0.024
138	0.012
34	0.130
54/3	0.020
117M	0.093
122M	0.109
152M	0.384
149/2	0.352
152M	0.664
168M	0.405
204/2	0.595
152M	0.384
201/1	0.514

			200/2M	0.134	
			200/2M	0.134	
			182M	1.494	
			152M	0.308	
				16.155	16.155
5	Central	Hope	1/1/13	1.104	
	Town				
			1178/9,	0.300	
			1346/1,		
			1166		
			1295M	0.485	
			1295M	0.154	
			1149/1	0.308	
			1158/1	0.922	
			1257	0.138	
			1294	0.026	
			1257,	0.103	
			1294		
			1349M	0.877	

1178/9, 0.150

1346/1,

1166

1178/9, 0.050

1346/1,

1160

1257 0.040

1347/1 0.308

1148M 0.032

1149M 0.034

1257M 0.040

5.071 5.071

6 Central

Hope

883/9

1.538

Town

883/15 0.705

883/1 0.384

1005/1 1.250

673/3 1.267

1004 0.162

883/10 0.769

104 0.316

104 0.174

99 0.804

120/1 0.405

79 0.383

116/2 0.231

104 0.599

883/6, 1.153

885/5

10.140

10.140

7 Central
Town

Hope

1257 0.081

1295 0.486

1178/9, 0.498

1346/1,

1160

1148 0.032

1149 0.034

1257	0.138
1294	0.026
1257, 1294/1	0.103
1349	0.077
1149/1	0.308
1158/1	0.615
1347/1	0.308
1353	0.739
1353	0.345
1353	0.433
1353	0.154
1353	0.231
1353	0.308
1353	0.308
1353	0.405
1353	0.405
1353	0.154

1353	0.405
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1353	0.154
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1353	0.308
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1353	0.202
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1353	0.308
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1353	0.308
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1353	0.202
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1353	0.308
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1353	0.231
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1353	0.231
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1353	0.405
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1353	0.154
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1353	0.308
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1353	0.405
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1353	0.405
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	10.522	10.522
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8 Lakhanwala	178M	0.220
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	284M	0.069
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	285M	0.162	
	280	0.352	
	260	0.607	
		1.410	1.410
9 Jhajhra	608	0.251	
	608/1	2.529	
	197/1	0.178	
	254	0.450	
	602/2	0.490	
	606	0.352	
	219/3	0.186	
	120/21	0.105	
	246/3	0.280	
	265/2	0.628	
	373/3	0.073	
	320	0.121	
	323	0.032	
	331	0.053	

607/1	0.388
354	0.024
358/1	0.085
605/1	0.121
246/1	0.066
268	0.081
270	0.045
271	0.166
273/2	0.206
309	0.186
310	0.049
311	0.065
312	0.057
313	0.085
314	0.061
315/2	0.061
107/2	0.170
322/2	0.146

357/2	0.142
357/1	0.097
358/1	0.057
213/1	0.117
246/2	0.162
273/1	0.101
265/1	0.109
315/1	0.081
322/1	0.109
607/1	0.170
608M	0.251
595M	0.364
602/3	0.486
595M	0.283
600	0.202
531/2	0.547
531/3	0.668
531/5	1.619

526/1	0.505
525/1/2	0.061
518	0.065
50/1	0.053
44/1	0.032
51/3	0.315
481/1	0.008
482/1	0.068
484/1	0.028
488/2	0.045
46/3	0.020
586M	0.202
586M	0.279
595	0.404
595M	0.606
588	0.308
589	0.545
573/2	1.143

591	0.308
281	0.336
290	0.304
247	0.312
329	0.113
590	0.567
603	0.368
309/616	0.146
592	0.510
610	0.194
226/614	0.121
20M	0.081
321/1	0.069
395M	0.093
599	0.841
233/1	0.049
274/1	0.040
225	0.032

	601	0.016	
	602/1	0.479	
	600M	0.150	
		23.168	23.168
10 Jhajhra	586	0.683	
	588	0.308	
	589	0.589	
	591	0.308	
	590	0.567	
	603	0.368	
	592	0.510	
	595	1.952	
	599M	0.841	
	600M	0.150	
	600M	0.202	
		6.478	6.478
11 Jhajhra	531/1	0.158	
	531/2	0.162	

531/3	0.162
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531/4	0.142
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531/5	0.101
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531/6	0.384
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531/2	0.547
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531/3	0.668
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531/5	1.619
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518	0.065
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484/2	0.134
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484/2	0.032
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484M	0.061
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12 · Sudhowala

387Kh	1.234
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405Kh	0.733
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707Dh	0.085
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717Dh	0.077
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777/2	0.077
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718Gh	0.093
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742G	0.589
------	-------

744	0.044
797Kh	0.087
721G	0.089
717Ka	0.344
754Ka	0.085
717Gh	0.085
721D	0.323
742Ka	0.012
742Kh	0.008
717Kh	0.121
722G	1.522
755Ka	0.166
778Kh	0.007
754Kh	0.086
763	0.115

5.982	5.982
-------	-------

13 Sudhowala

709G	0.551
716J	0.032

791G	0.055
716J	2.400
716Ch	0.437
716Kh	0.561
716G	0.380
722Gh	0.136
720Kh	1.816
721Kh	2.752
719Ka	1.824
719Kh	0.989
719G	1.237
721Ch	0.096
722D	1.321
723	0.750
720Ka	0.833
722Ka	0.158
722C	0.937
724Kh	0.171

724G	0.102
716Gh	0.247
717Ch	0.174
757D	0.083
742G	0.584
788	0.118
799	0.170
720Kh	1.816
721Gh	2.752
719Ka	0.824
719Kh	0.989
719G	1.237
721Ch	0.096
722D	1.321
723	0.750
720Ka	0.833
722Ka	0.158
722C	0.937

724Kh	0.171
-------	-------

724G	0.102
------	-------

716G	0.247
------	-------

717Ch	0.174
-------	-------

757D	0.083
------	-------

742G	0.584
------	-------

788	0.118
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799	0.170
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	33.276	33.276
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14 East Hope Town	
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5	0.101
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854	0.105
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786/1	0.142
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787/1	0.482
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789/1	0.206
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868/1	0.065
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869/1	0.057
-------	-------

797	0.061
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9	1.193
---	-------

11	1.113
848	0.466
849	0.077
850	0.093
851	0.121
853	0.097
858	0.696
860	0.789
861	0.312
2	1.566
3	0.939
4	0.097
6	0.482
856	0.798
857	0.849
862	0.413
817/3	0.243
13	0.462

14	0.579
15	0.275
15	1.202
17	0.518
919M	0.405
919M	0.769
919M	0.636
919M	0.405
919M	0.405
893M	0.405
893M	0.405
919M	1.619
919/10	0.810
919M	0.405
919M	0.255
896	0.348
919M	0.405
893M	0.405

[illegible]

870M	0.405
893M	0.405
893M	0.275
919M	0.130
870M	0.405
893M	0.275
919M	0.130
870M	0.405
870M	0.405
919M	0.809
970/2415	0.405
919M	0.405
870M	0.405
870M	0.405
896M	0.462
919M	0.231
919M	0.348
870M	0.405

870M	0.405
919M	0.384
893M	0.405
893M	0.405
919M	0.364
893M	0.405
919M	0.405
919M	0.384
987M	0.081
919/39M	0.397
870M	0.405
919M	0.405
919M	0.340
919M	0.615
919M	0.405
919M	0.405
893M	0.405
919M	0.405

919M	0.809
919M	0.589
919M	0.405
1044/1	0.128
919M	0.405
970/2415	0.405
Ka	
893M	0.405
121/15Ka	0.190
870M	0.214
870M	0.405
121M	0.247
142M	0.085
870M	0.405
870M	0.405
870M	0.283
919M	0.405
919M	0.373

919M	0.405
919M	0.304
919M	0.405
919M	0.405
919M	0.405
919M	0.809
870M	0.356
893M	0.049
919M	0.405
919M	0.656
919M	0.405
919M	0.405
875M	0.101
893M	0.304
919M	0.405
919/29	0.607
987M	0.081
919M	0.648

919M	0.405
919M	0.328
919M	0.328
875M	0.405
915M	0.243
870M	0.372
870M	0.405
870M	0.405
870/45	0.182
875	0.223
870M	0.308
870M	0.384
870M	0.097
870M	0.405
870M	0.405
870/40M	0.356
893M	0.049
870M	0.283

893M 0.405

870M 0.308

893M 0.405

893M 0.405

893M 0.405

870M 0.324

846M 0.194

852M 0.210

65.576 65.576

16 Rampur Kala 1133 0.364

1134 0.115

1161G 0.010

1165 0.658

1167 0.496

1175Ka/3 0.06

1175Ka/2 0.445

3

2.148 2.148

17	Rampur Kala	232	0.757	
		479Kh	0.077	
		480Ka	0.044	
		901	0.642	
		1005	0.090	
		1006Ka	0.035	
		1027Kh	0.241	
		1166	0.364	
		1175Dh	2.652	
			4.902	4.902
18	Rampur Kala	529Kh	0.020	
		530	0.251	
		1057	0.090	
		1060Ka	0.090	
		1175Ka	4.013	
			4.464	4.464
19	Rampur Kala	233Kh	0.130	
		243	0.101	

	244Ka	0.015	
	499	0.384	
	797Gh	0.081	
	874	0.250	
	875	0.400	
		1.361	1.361
20 Mishrashpatti	1345	0.130	
	1346	0.130	
	1290	0.065	
	1343	0.077	
	9/4	0.769	
	1225	0.437	
	9/9	0.770	
	9/53	0.101	
	9/10	0.308	
	9/55	0.150	
	1225/1	0.172	
	1269/3	0.154	

2127	0.450
2166	0.485
2122M	0.541
9/55	0.050
1514	0.045
1625	0.045
1645	0.008
1652	0.040
1671	0.030
1685	0.040
1799	0.001
1842	0.012
1852	0.028
1853	0.064
1405	0.045
1418	0.008
1419	0.016
1421	0.016

1422	0.020
1423	0.020
1424	0.024
1427	0.045
1353	0.069
2177	0.070
52, 55/2	1.257
58, 65,	
66, 67,	
68,	
70, 71,	
74, 75,	
82, 115	
139, 151,	
162, 164,	
166, 55	
558, 576,	
587, 591,	
598	
601, 336,	

1/8	0.809
499/2,	0.712
639,	
499/2	
789, 791,	
607	0.170
560	0.040
572	0.020
577	0.024
594	0.073
605	0.016
606	0.097
28/867	0.024
533	0.109
534	0.036
535	0.049
540	0.032
543	0.077

559	0.008
578	0.020
571	0.012
1/14	0.084
610	0.028
613	0.053
628	0.085
647	0.016
665	0.040
666	0.028
677	0.049
676	0.008
676	0.008
680	0.032
688	0.071
501	0.664

10.178	10.178
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21 Fathepur

1439Ka

0.030

1440Kh	0.047
1454Kh	0.182
1286G	0.054
1306	0.108
1436Ka	0.036
1454D	0.409
1454C	0.409
1344Kh	0.202
1438Kh	0.130
1447Kh	0.093
1454Kh	0.421
1454D	0.409
1444Kh	0.409
1448D	0.409
1448Gh	0.409
1322G	0.040
1421Ka	0.109
1427Ka	0.252

4.158 4.158

22 Jassowala

645 0.069

646 0.060

645 0.060

646 0.036

645 0.073

646 0.036

645 0.069

646 0.036

645 0.069

646 0.023

704 0.233

706 0.178

707 0.002

717 0.051

713, 714 0.231

653, 686, 0.300

698, 713,

	714.		
	653, 686,	0.302	
	698, 713,		
	715		
	589/1,	1.210	
	651/4,		
	697, 696.		
		3.038	3.038
23 .Dhakarani	553, 554,	0.424	0.424
	557		
Grand Total			213.753 (In Hect.)

//True English Translation// .

**IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION**

I.A. No. 42473 of 2020
IN

WRIT PETITION (C) NO. 188 OF 2004

IN THE MATTER OF:

M/s. Raiganj Consumer Forum

.....Petitioner(s)

Versus

Union of India & Ors

....Respondent(s)

**APPLICATION SEEKING PERMISSION TO PLACE ON
RECORD ADDITIONAL DOCUMENTS**

WITH

I.A. No. _____ of 2020:

Application for exemption from filing
official translation

PAPER BOOK

(FOR INDEX PLEASE SEE INSIDE)

VOLUME – II

ADVOCATE FOR THE RESPONDENT: [JATINDER KUMAR BHATIA]

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ANNEUXRE R - 9

REGARDING CASES FILED IN THE COURT OF ADDL. DISTRICT COLLECTOR (PRA.), DEHRADUN U/S

166/167 OF Z.A. ACT.

Sl. No.	Mauza	Section	Case No.	Name of Parties	Detail of Proceeding.
1	Jhajhara	166/167	01/17-18	Asharani Vs. Govt.	Said case has been received for disposal in this Court on the basis of Order dated 28.02.2018 of the District Collector. Restoration Application filed against the Order dated 02.06.2003 in case no. 15A/99-2000; State Versus Golden Forest is pending

				disposal. In this case next date for hearing is fixed on 04.10.2019.
2	E.Ho.Ta.	166/167	02/17-18	State Versus Ram Prasad Penuli
				Said case has been received for disposal in this Court on the basis of Order dated 28.02.2018 of the District Collector. Restoration Application filed against the Order dated 02.06.2003 in case no. 15A/99-2000; State Versus Golden Forest is pending disposal. In this case next date for hearing is fixed on 04.10.2019.
3	E.Ho.Ta.	166/167	03/17-18	State Versus Dharma Singh & Ors.
				Said case has been received for disposal in this Court on the basis of Order dated 28.02.2018 of the District Collector.

				Restoration Application filed against the Order dated 02.06.2003 in case no. 15A/99-2000; State Versus Golden Forest is pending disposal. In this case next date for objection/evidence is fixed on 04.10.2019.
4	E.Ho.Ta.	166/167	04/17-18	State Versus Ram Pyari
				Said case has been received for disposal in this Court on the basis of Order dated 28.02.2018 of the District Collector. Restoration Application filed against the Order dated 02.06.2003 in case no. 15A/99-2000; State Versus Golden Forest is pending disposal. In this case next date for hearing is fixed on 04.10.2019.

5	E.Ho.Ta.	166/167	05/17-18	State Versus Yashpal Singh and Ors.	Said case has been received for disposal in this Court on the basis of Order dated 28.02.2018 of the District Collector. Restoration Application filed against the Order dated 02.06.2003 in case no. 15A/99-2000; State Versus Golden Forest is pending disposal. In this case next date for hearing is fixed on 04.10.2019.
6	E.Ho.Ta.	166/167	06/17-18	State Versus Darshan Lal	Said case has been received for disposal in this Court on the basis of Order dated 28.02.2018 of the District Collector. In this case next date for hearing is fixed on 04.10.2019.

7	Mishras Patti	166/167	07/17-18	State Versus Padam Singh	Said case has been received for disposal in this Court on the basis of Order dated 28.02.2018 of the District Collector. Restoration Application filed against the Order dated 02.06.2003 in case no. 15A/99-2000; State Versus Golden Forest is pending disposal. In this case next date for hearing is fixed on 18.10.2019 for objection/ evidence.
8	Rampur Kalan	166/167	08/17-18	State Versus Ali Hassan	Said case has been received for disposal in this Court on the basis of Order dated 28.02.2018 of the District Collector. Restoration Application filed against the Order dated 23.08.1996 in case no. 46/95-96; State