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**IN THE COURT OF BOARD OF REVENUE GWALIOR**

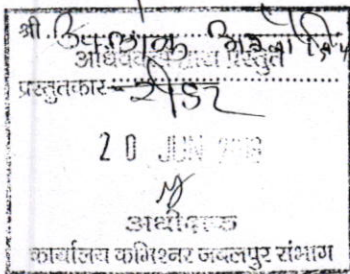
नगरानी-4004/2018/नरसिंहपुर/भरत (M.P.)

Revision Petition No. ....../2018

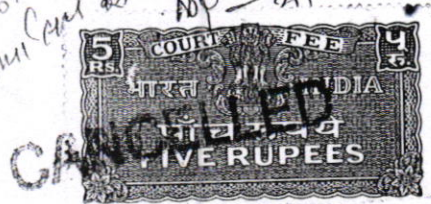
**APPLICANTS :-**

1. **Kamlesh @ Azad Gupta**  
S/o Late Shri Harnarayan Gupta, R/o M.P.E.B. Colony, Gadarwara, District Narsinghpur (M.P.)
2. **Smt. Saroj Gupta**  
W/o Late Shri Madan Gupta,
3. **Sushil Gupta**  
S/o Late Shri Madan Gupta
4. **Mukesh Gupta**  
S/o Late Shri Madan Gupta
5. **Meena Gupta**  
D/o Late Shri Madan Gupta
6. **Reena Gupta**  
D/o Late Shri Madan Gupta  
Applicant No. 2 to 6 R/o Radha Vallabh Ward, Gadarwara, District Narsinghpur (M.P.)

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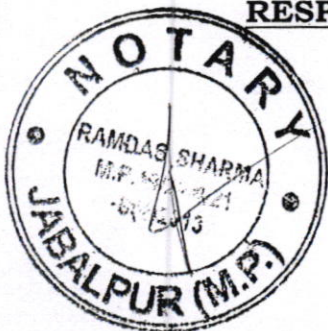
श्री. नरसिंह शर्मा  
21/6/18 को 4/1/18  
दस्तावेज को 4/1/18



**VERSUS**

**RESPONDENT:-**

1. **Smt. Krishna Gupta**  
W/o Late Shri Vishnu Prasad Gupta,
2. **Anil Gupta**  
S/o Late Shri Vishnu Prasad Gupta,
3. **Sunil Gupta**  
S/o Late Shri Vishnu Prasad Gupta
4. **Sudheer Gupta**



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(2)

S/o Late Shri Vishnu Prasad  
Gupta

5. **Anjana Gupta**

D/o Late Shri Vishnu Prasad  
Gupta, All R/o Palod Colony,  
Bhama Ward, Gadarwara,  
Teshil Gadarwara, District  
Narsinghpur (M.P.)

6. **Smt. Geeta Gupta**

W/o Shri Parshottam Gupta,  
D/o Harnarayan Gupta, R/o  
Lohabada, Tehsil Gadarwara,  
District Narsinghpur (M.P.)

7. **Smt. Sheela Gupta**

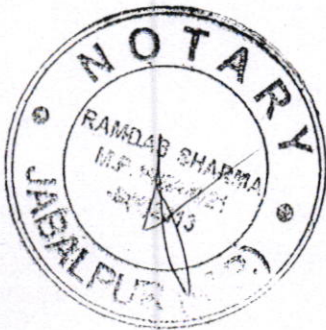
W/o Shri Manoharlal Gupta,  
R/o Near of Civil Samudayik  
Kendra Hospital (Working as  
Manoharlal Gupta Government  
Hospital), R/o Kareli, District  
Narsinghpur (M.P.)

8. **Smt. Santosh Gupta**

W/o Shri Dwarka Prasad  
Gupta, R/o C/o Jaggi House,  
Near Free Tea, Rampur  
Chhawara, Jabalpur (M.P.)

9. **Smt. Lalli Gupta**

W/o Jai Prakash Gupta, R/o  
Gaogangaon, Tehsil Sehora  
(Khagola), District Jabalpur  
(M.P.)



**REVISION PETITION UNDER SECTION 50 OF**

**17 JUN 2018**

**MADHYA PRADESH REVENUE CODE**

Being aggrieved by the order dated 08.06.2018 passed in appeal No. 15-A/27/2015-16 whereby Learned Trial Court allow the application under Section 5 of Limitation Act filed by the respondent No. 1 to 5. On earlier occasion when the appeal was filed by the respondent No. 1 to 5, the respondent No. 1 to 5 also filed an application under Section 5 of limitation act and without given an opportunity of hearing to the applicant the, Learned Appellate Court admit the appeal without deciding the interim application (application under Section 5 of Limitation Act). Hence, this Revision on following facts and grounds:-

**FACTS OF THE CASE:-**

The applicants named above beg to submit as under:-

1. That, the respondent No. 1 to 5 are the appellant before the appellate court and there appeal is pending before the Sub Divisional Officer (Revenue) Gadarwara, District Narsinghpur for final disposal.
2. That, by order dated 29.01.2012 Tehsildar Gadarwara passed the order of mutation in favour of the present appellants.


That, being aggrieved by the order dated 29.01.2012 the respondent No. 1 to 5 filed an appeal before the S.D.O. Gadarwara. Alongwith the appeal the respondent No. 1 to 5 also filed an application under Section 5 of Limitation Act. Copy of the appeal and the application is filed herewith and marked as **ANNEXURE A/1.**



17 JUN 2018

न्यायालय राजस्व मण्डल, म० प्र०, ग्वालियर  
अनुवृत्ति आदेश पृष्ठ

प्रकरण क्रमांक निगरानी 4004 / 2018 जिला नरसिंहपुर

स्थान तथा दिनांक	कार्यवाही तथा आदेश	पक्षकारों एवं अभिभाषकों आदि के हस्ताक्षर
18-7-18	<p>आवेदक के अधिवक्ता श्री आलोक अग्निहोत्री उपस्थित। उनके द्वारा यह निगरानी अनुविभागीय अधिकारी गाडरवारा जिला नरसिंहपुर के प्रकरण क्रमांक 15/अ-27/2015-16 में पारित अतिरिम आदेश दिनांक 8.6.18 के विरुद्ध म० प्र० भू-राजस्व संहिता 1959 की धारा-50 के अन्तर्गत प्रस्तुत की गई है।</p> <p>2-आवेदक अधिवक्ता के तर्क सुने। प्रकरण में संलग्न दस्तावेजों का अध्ययन किया गया। अध्ययन से प्रतीत होता है कि अनुविभागीय अधिकारी गाडरवारा जिला नरसिंहपुर द्वारा मात्र <b>natural Justice thearey</b> के अनुसार धारा-5 का आवेदन स्वीकार किया गया है, जबकि अनुविभागीय अधिकारी गाडरवारा को धारा-5 का आवेदन विस्तार से आदेश पारित करना चाहिये था। अतः अनुविभागीय अधिकारी गाडरवारा का आदेश दिनांक 8.6.18 त्रुटिपूर्ण होने से निरस्त किया जाता है तथा प्रकरण अनुविभागीय अधिकारी गाडरवारा को इस निर्देश के साथ प्रत्यावर्तित किया जाता है कि वह धारा-5 के आवेदन का विस्तार से आदेश पारित करें।</p> <p style="text-align: right;"> सदस्य</p>	