



HIGH COURT OF CHHATTISGARH, BILASPUR

Judgment reserved on 26-04-2019

Judgment delivered on 04-10-2019

[Arising out of judgment and decree dated 23-12-2016 passed by the First Additional District Judge, Bastar at Jagdalpur, in civil suit No.1-A/2012]

FA No. 119 of 2017

1. Smt. Krishana Kumari Devi, Aged About 57 Years approx, W/o Late Bharat Chandra Bhanjdeo,
2. Shri Kamal Chandra Bhanjdeo, Aged About 32 Years approx, S/o Late Bharat Chandra Bhanjdeo,
3. Ku. Gayatri Devi, Aged About 30 Years, D/o Late Bharat Chandra Bhanjdeo

Appellant No.1 to 3 all residing at Palace Compound, Jagdalpur, District Bastar, Chhattisgarh

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Versus

1. Harihar Chandra Bhanjdeo S/o Late Vijoy Chandra Bhanjdeo, Aged About 43 Years R/o Palace compound, Jagdalpur, District Bastar, Chhattisgarh.
2. Jyoti Kumari Bhanjdeo W/o Late Devesh Chandra Bhanjdeo Aged About 54 Years.
3. Mohit Chandra Bhanjdeo S/o Late Devesh Chandra Bhanjdeo, Aged About 29 Years,
4. Kumari Juhika Bhanjdeo D/o Late Devesh Chandra Bhanjdeo Aged About 31 Years

Respondent no. 2 to 4 are residing at – Palace compound Jagdalpur District- Bastar (C.G.)

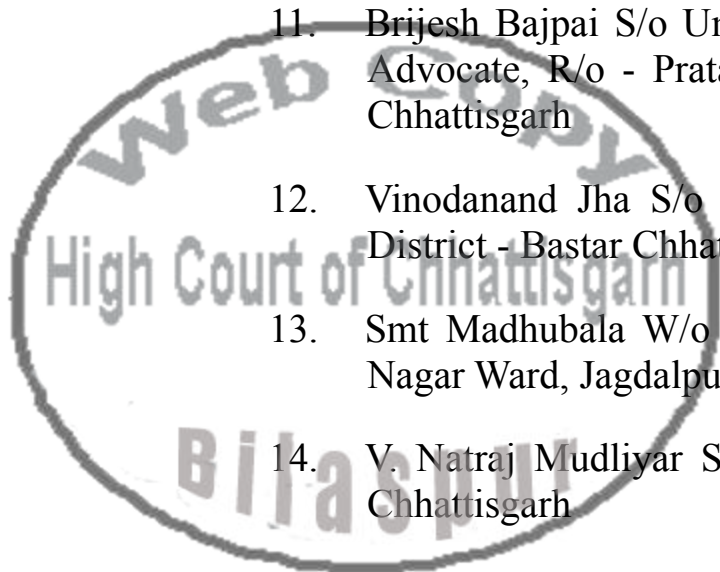
5. State Of Chhattisgarh Through Chief Secretary, Mahanadi Bhawan District - Raipur, Chhattisgarh,



6. Smt Pramila Tiwari W/o Basantlal Residence - Kunwar Bada, Jagdalpur District - Bastar Chhattisgarh
7. Smt Basanti Pandey W/o Riksheshwar Pandey Residence - Shiv Mandir Ward, Jagdalpur District - Bastar, Chhattisgarh.
8. Dulichandra S/o Mulram Chandra Sonar Residence- Ramaiyapara, Jagdalpur District- Bastar Chhattisgarh,
9. Sardar Jang Bahadur Singh S/o Late Trilochan Singh Aged About 45 Years approx
10. Sardar Prithvipal Singh S/o Late Trilochan Singh Aged About 40 Years

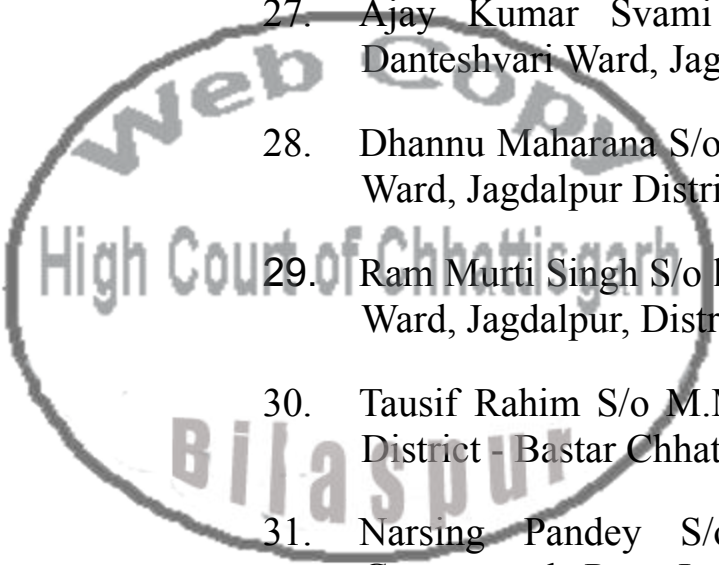
Both respondent no. 9 and 10 Residing At Gidam Road, Jagdalpur District- Bastar Chhattisgarh.

11. Brijesh Bajpai S/o Umashankar Bajpai Age About 35 Years, Advocate, R/o - Pratapganj Para, Jagdalpur District- Bastar Chhattisgarh
12. Vinodanand Jha S/o Narayan Jha Brahman R/o- Jagdalpur District - Bastar Chhattisgarh
13. Smt Madhubala W/o Ramanand Jha, Bramhan R/o- Gandhi Nagar Ward, Jagdalpur District- Bastar Chhattisgarh.
14. V. Natraj Mudliyar S/o M. Mudliyar R/o- District - Bastar Chhattisgarh
15. Smt Kanchan Gouri W/o Prabhudas Sanghani R/o District - Bastar Chhattisgarh
16. Smt Krishnawati W/o Bharat Kumar Kankiya R/o- District - Danteshvari Ward, Jagdalpur District - Bastar Chhattisgarh.
17. Yashpal Singh Thakur S/o Surajbhan Singh Thakur R/o- Nayamunda Ward Jagdalpur District - Bastar Chhattisgarh.
18. Abdul Hafis S/o Abdul Rahim, cast Musalman, R/o- Danteshvari Ward, Jagdalpur District - Bastar Chhattisgarh.
19. Shri Narayan Das S/o Shyamlal Sindhi R/o Nayapara, Jagdalpur, District- Bastar Chhattisgarh
20. Ramchandra Singh S/o Parsuram Singh Khatri R/o - Lalbaag, Jagdalpur, District - Bastar Chhattisgarh,



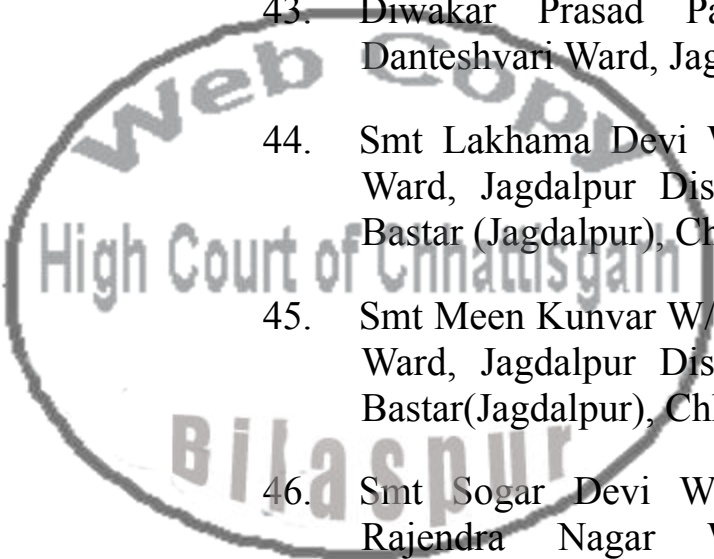


21. Khem Narayan S/o Kritilal, S/o Arjunlal Sinha R/o - Kumharpara, Jagdalpur, District - Bastar Chhattisgarh.
22. Nilkaran S/o Late Duaru Gond R/o- Kumharpara, Jagdalpur, District - Bastar Chhattisgarh
23. Mahesh Kumar S/o Shersingh Sahare R/o Kumharpara, Jagdalpur, District- Bastar Chhattisgarh.
24. Bonuram S/o Thakur Ram Kavar R/o - Kumharpara, Jagdalpur, District - Bastar Chhattisgarh.
25. Vijay Kumar Agrawal S/o Triloklath Agrawal R/o- Main Road, Jagdalpur, District- Bastar Chhattisgarh.
26. Pramod Kumar Laldas S/o D. Mahavirlal Das R/o Nirmal Vidhyalay Ke Pas, Jagdalpur, District - Bastar Chhattisgarh.
27. Ajay Kumar Svami S/o Bhagwan Kumar Svami R/o- Danteshvari Ward, Jagdalpur District - Bastar Chhattisgarh.
28. Dhannu Maharana S/o Yudhisthir Maharana R/o- Danteshvari Ward, Jagdalpur District - Bastar Chhattisgarh.
29. Ram Murti Singh S/o late Rambharat Paal Singh R/o - Gandhi Ward, Jagdalpur, District- Bastar Chhattisgarh.
30. Tausif Rahim S/o M.M. Rahim R/o- Nayamunda, Jagdalpur District - Bastar Chhattisgarh.
31. Narsing Pandey S/o Bodhan Pandey Mishtri R/o - Gangamunda Para, Jagdalpur, District - Bastar Chhattisgarh.
32. Ramkumar Jha S/o Harikant Jha R/o Gandhi Nagar, Jagdalpur, District- Bastar Chhattisgarh.
33. Arun Kumar Jha S/o Harikant Jha R/o- Gandhi Nagar Ward, Jagdalpur District- Bastar Chhattisgarh.
34. Satyadev Jha S/o Harikant R/o- Gandhi Nagar Ward, Jagdalpur District- Bastar Chhattisgarh.
35. Smt. Foolwari Pandey W/o Shri Ram Mangal Pandey R/o- Danteshvari Ward, Jagdalpur District - Bastar Chhattisgarh.
36. Jagpaal Singh S/o Bhupendra Singh R/o - Jagdalpur District- Bastar Chhattisgarh.



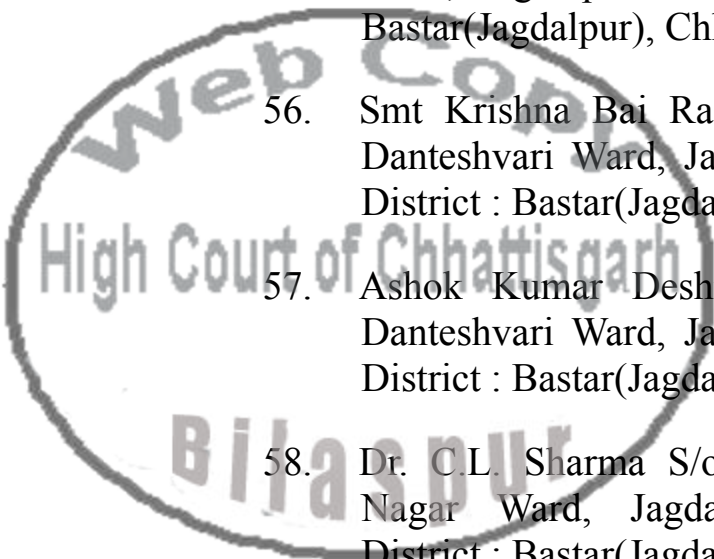


37. Ajaypaal Singh S/o Bhupendra Singh R/o - Jagdalpur District- Bastar Chhattisgarh.
38. Parsuram Singh S/o Ramjatan Singh R/o- Danteshvari Ward, Jagdalpur District - Bastar Chhattisgarh.
39. Kumari Kasturi Mishra D/o Late Prasad Narayan R/o- Danteshvari Ward, Jagdalpur District - Bastar Chhattisgarh.
40. Smt Krishna Bai Rathore W/o Narayan Singh Rathore R/o- Danteshvari Ward, Jagdalpur District - Bastar Chhattisgarh.
41. Ramprasad S/o Ganesh Prasad Jaysaval R/o- Rajendra Nagar Ward, Jagdalpur, District- Bastar Chhattisgarh.
42. Shriram S/o Jadunandan Kushvaha R/o- Rajendra Nagar Ward, Jagdalpur, District- Bastar Chhattisgarh.
43. Diwakar Prasad Pandey S/o Bhagrehi Pandey R/o- Danteshvari Ward, Jagdalpur District - Bastar Chhattisgarh.
44. Smt Lakhama Devi W/o Motilal Sharma R/o- Danteshvari Ward, Jagdalpur District - Bastar Chhattisgarh, District : Bastar (Jagdalpur), Chhattisgarh
45. Smt Meen Kunvar W/o Shri Rakesh Pandey R/o- Danteshvari Ward, Jagdalpur District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
46. Smt Sogar Devi W/o Shri Kamta Prasad Trivedi R/o- Rajendra Nagar Ward, Jagdalpur, District- Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
47. Dinanath S/o Shri Ray Kushvaha R/o- Rajendra Nagar Ward, Jagdalpur, District- Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
48. Smt Mona Bai Gupta W/o Lalbahadur Gupta R/o- Rajendra Nagar Ward, Jagdalpur, District- Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
49. Smt Rajrani W/o Siyolal Shrivastava R/o- Danteshvari Ward, Jagdalpur District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
50. Shri Tribhuvan Dev Ravani S/o Bhagat Prasad Ravani R/o- Danteshvari Ward, Jagdalpur District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh



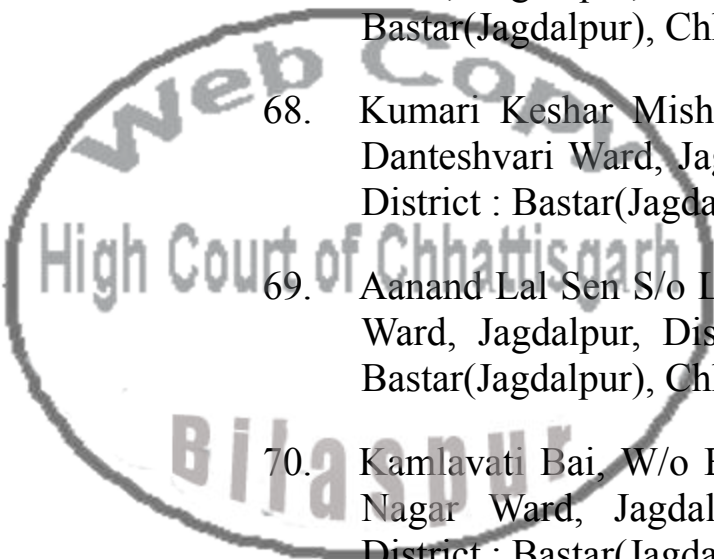


51. Vyomkesh Pandey S/o Deokaran Pande R/o- Danteshvari Ward, Jagdalpur District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
52. Indrani Yadu D/o K.P. Yadu R/o- Rajendra Nagar Ward, Jagdalpur, District- Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
53. Kameshvar Prasad Yadu S/o Budhai Ram Yadu R/o- Rajendra Nagar Ward, Jagdalpur, District- Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
54. Satendra Singh S/o Gorakhnath Singh R/o- Rajendra Nagar Ward, Jagdalpur, District- Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
55. Aayodhya Prasad S/o Ram Dayal Shrivastava R/o- Danteshvari Ward, Jagdalpur District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
56. Smt Krishna Bai Raikol W/o Narayan Singh Raikol R/o- Danteshvari Ward, Jagdalpur District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
57. Ashok Kumar Deshmukh S/o Bhimrao Deshmukh R/o- Danteshvari Ward, Jagdalpur District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
58. Dr. C.L. Sharma S/o Bhagat Ram Sharma R/o- Rajendra Nagar Ward, Jagdalpur, District- Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
59. Ram Prasad S/o Banarasi Mistri R/o- Danteshvari Ward, Jagdalpur District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
60. Ratan Singh S/o Chunnu Singh Thakur R/o- Danteshvari Ward, Jagdalpur District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
61. Yashvant Singh S/o Narayan Singh Rajput R/o- Kunvar Bada, Jagdalpur, District- Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
62. Smt Hiradevi W/o Ghanshyam Tiwari R/o- Danteshvari Ward, Jagdalpur District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh





63. Kumari Suman D/o Purmir R/o Danteshvari Ward, Jagdalpur, District - Bastar Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
64. Kumari Sulochna D/o Purmir R/o Danteshvari Ward, Jagdalpur, District - Bastar Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
65. Kumari Sobha D/o Purmir, R/o Danteshvari Ward, Jagdalpur, District - Bastar Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
66. Sagar Devi W/o Satyanarayan Pathak, R/o Danteshvari Ward, Jagdalpur, District - Bastar Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
67. Smt. Amma Bai, W/o Sheikh Imamuddin, R/o Danteshvari Ward, Jagdalpur, District - Bastar Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
68. Kumari Keshar Mishra D/o Prasiddh Narayan Mishra, R/o Danteshvari Ward, Jagdalpur, District - Bastar Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
69. Aanand Lal Sen S/o Lakshaman Prasad Sen, R/o Danteshvari Ward, Jagdalpur, District - Bastar Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
70. Kamlavati Bai, W/o Bayant Prasad Kushvaha, R/o Rajendra Nagar Ward, Jagdalpur, District - Bastar Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
71. Indrajit Upadhyay, S/o R.S. Upadhyay, R/o Hikmipara, Jagdalpur, District - Bastar Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
72. Ghanshyam Upadhyay, S/o R.S. Upadhyay, R/o Hikmipara, Jagdalpur, District - Bastar Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
73. Brijlal S/o Paklu Yadav, R/o Rajendra Nagar Ward, Jagdalpur, District - Bastar Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
74. Bhanukumar, S/o Gulab Chandra Jain, R/o Rajendra Nagar Ward, Jagdalpur, District - Bastar Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh

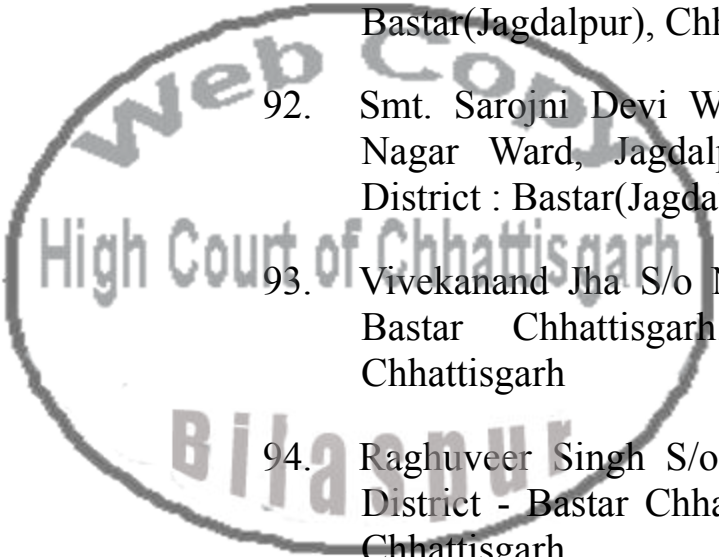




75. Vinod Kumar Jain S/o Gulal Chandra Jain, R/o Rajendra Nagar Ward, Jagdalpur, District - Bastar Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
76. Smt. Seebavati Devi W/o Ram Ratan Singh, R/o Danteshvari Ward, Jagdalpur, District - Bastar Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
77. Smt. Manharan Devi W/o Govind Prasad Devi, R/o Danteshvari Ward, Jagdalpur, District - Bastar Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
78. Ram Ji S/o Prem Singh Devangan R/o Danteshvari Ward, Jagdalpur, District - Bastar Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
79. Nandkumar Deshmukh S/o Bhimrao Deshmukh, R/o Danteshvari Ward, Jagdalpur, District - Bastar Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
80. Shri Ram S/o Jadunandan Kushvaha, R/o Rajendra Nagar Ward, Jagdalpur, District - Bastar Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
81. Kamal Kumar, S/o Jagdish Rai, R/o Rajendra Nagar Ward, Jagdalpur, District - Bastar Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
82. Ramkumr Jha S/o Arun Kumar Jha, R/o Jagdalpur, District - Bastar Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
83. Smt Kishvar Johan W/o Jaminal R/o Rajendra Nagar Ward, Jagdalpur, District - Bastar Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
84. Rajkumar S/o Ram Chandra Gupta, R/o Rajendra Nagar Ward, Jagdalpur, District - Bastar Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
85. Smt Khurshid Begam W/o Mohammad Iliyas Siddhqi R/o Rajendra Nagar Ward, Jagdalpur, District - Bastar Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
86. Smt. Urmila Kanunango W/o Vishvmarti Kanunango, R/o Rajendra Nagar Ward, Jagdalpur, District - Bastar Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh

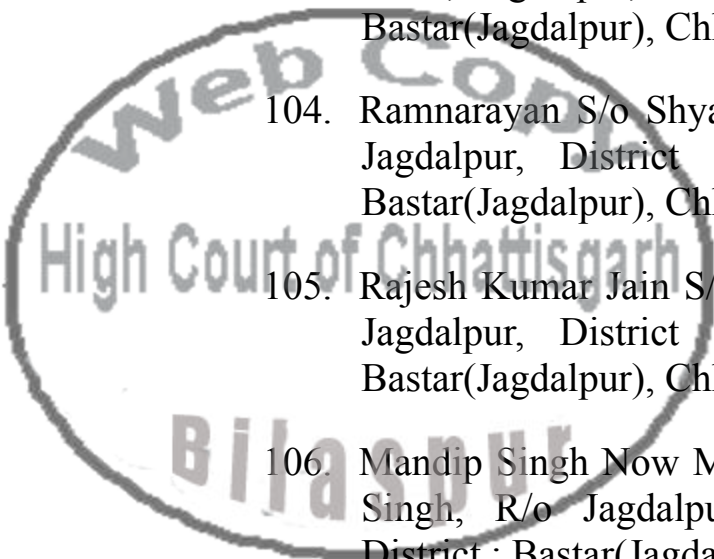


87. Prabhati Bai, W/o Vrindavan Prasad Yadav, R/o Rajendra Nagar Ward, Jagdalpur, District - Bastar Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
88. Moh. Ismail S/o Mahbub Ali, R/o Rajendra Nagar Ward, Jagdalpur, District - Bastar Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
89. Moh. Jafar Ali, S/o Mahbub Ali, R/o Rajendra Nagar Ward, Jagdalpur, District - Bastar Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
90. Bhanu Kumar S/o Gulab Jain, R/o Rajendra Nagar Ward, Jagdalpur, District - Bastar Chhattisgarh. , District : Bastar(Jagdalpur), Chhattisgarh
91. Vinod Kumar S/o Gulab Chandra Jain, R/o Rajendra Nagar Ward, Jagdalpur, District - Bastar Chhattisgarh. , District : Bastar(Jagdalpur), Chhattisgarh
92. Smt. Sarojni Devi W/o Govind Kanunango, R/o Rajendra Nagar Ward, Jagdalpur, District - Bastar Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
93. Vivekanand Jha S/o Narayan Jha, R/o Jagdalpur, District - Bastar Chhattisgarh. , District : Bastar(Jagdalpur), Chhattisgarh
94. Raghuveer Singh S/o Sardar Basant Singh, R/o Jagdalpur, District - Bastar Chhattisgarh. , District : Bastar(Jagdalpur), Chhattisgarh
95. Ramfer Yadav S/o Bhagwati Prasad Yadav, R/o Jagdalpur, District - Bastar Chhattisgarh. , District : Bastar(Jagdalpur), Chhattisgarh
96. Tulshiram Sahani, S/o Ramcharan Sahani, R/o Jagdalpur, District - Bastar Chhattisgarh. , District : Bastar(Jagdalpur), Chhattisgarh
97. Smt. Gurumit Kour W/o Milkiyat Singh R/o Jagdalpur, District - Bastar Chhattisgarh. , District : Bastar(Jagdalpur), Chhattisgarh
98. Smt. Ganpati Bai, D/o Chakkar Dhobi, R/o Jagdalpur, District - Bastar Chhattisgarh. , District : Bastar(Jagdalpur), Chhattisgarh





99. Shardar Balvind Singh S/o Suchcha Singh, R/o Jagdalpur, District - Bastar Chhattisgarh. , District : Bastar(Jagdalpur), Chhattisgarh
100. Mahendra Singh S/o Buta Singh, R/o Hikmipara, Jagdalpur, District - Bastar Chhattisgarh. , District : Bastar(Jagdalpur), Chhattisgarh
101. Gurumukh Singh, S/o Muhindra Singh, R/o Hikmipara, Jagdalpur, District - Bastar Chhattisgarh. , District : Bastar(Jagdalpur), Chhattisgarh
102. Smt. Ramwati W/o Lt. Bachchan Singh R/o Itwari Bazar Ward, Jagdalpur, District - Bastar Chhattisgarh. , District : Bastar(Jagdalpur), Chhattisgarh
103. Shafi Khan S/o Sardar Khan Musalman, R/o Itwari Bazar Ward, Jagdalpur, District - Bastar Chhattisgarh. , District : Bastar(Jagdalpur), Chhattisgarh
104. Ramnarayan S/o Shyamlal Saksena, R/o Itwari Bazar Ward, Jagdalpur, District - Bastar Chhattisgarh. , District : Bastar(Jagdalpur), Chhattisgarh
105. Rajesh Kumar Jain S/o Sannat Kumar Jain, R/o Sadar Ward, Jagdalpur, District - Bastar Chhattisgarh. , District : Bastar(Jagdalpur), Chhattisgarh
106. Mandip Singh Now Major S/o Balvinder Singh, S/o Suchcha Singh, R/o Jagdalpur, District - Bastar Chhattisgarh. , District : Bastar(Jagdalpur), Chhattisgarh
107. Sardar Basdev Singh S/o Suchcha Singh, R/o Jagdalpur, District - Bastar Chhattisgarh. , District : Bastar(Jagdalpur), Chhattisgarh
108. Abhimanyu Prasad S/o Bhagirathi, R/o Hikmipara, Jagdalpur, District - Bastar Chhattisgarh. , District : Bastar(Jagdalpur), Chhattisgarh
109. Sardar Gurudev Singh S/o Sardar Bhajan Singh, R/o Hikmipara, Jagdalpur, District - Bastar Chhattisgarh. , District : Bastar(Jagdalpur), Chhattisgarh
110. Smt. Manki Bai D/o Ramnath Harijan, R/o Ganganagar Ward, Jagdalpur, District - Bastar Chhattisgarh. , District : Bastar(Jagdalpur), Chhattisgarh

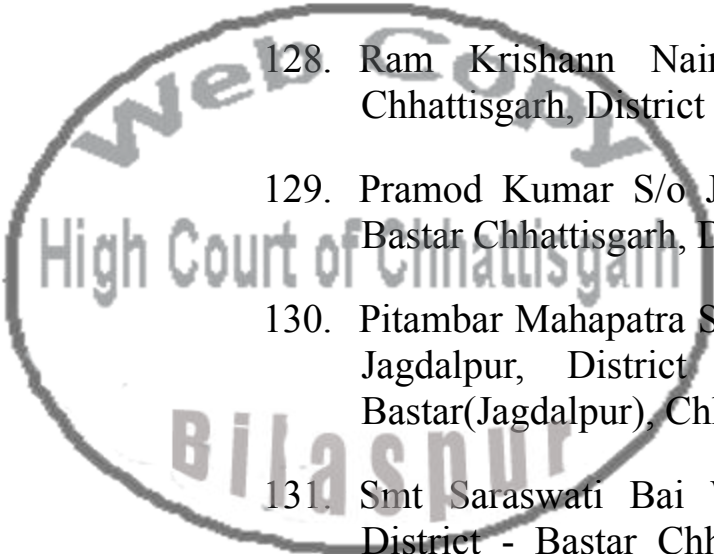




111. Tarakant Jha S/o Aniruddh Jha R/o Jagdalpur, District - Bastar Chhattisgarh. , District : Bastar(Jagdalpur), Chhattisgarh
112. Smt. P. Surma W/o P. Ramelu R/o Kumharpara, Jagdalpur, District - Bastar Chhattisgarh. , District : Bastar(Jagdalpur), Chhattisgarh
113. Smt Aayati Bai D/o Shitaram Yadav R/o Mahadev Ghat Jagdalpur, District- Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
114. Govind Sharma S/o Begraj Sharma R/o Itwari Bazar Ward, Jagdalpur, District- Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
115. Nijamuddin S/o Babuali Musalman R/o Kchorapara, Jagdalpur, District- Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
116. Smt. Urmila W/o Rajkumar Lal Kan, R/o Kachorapara, Jagdalpur, District- Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
117. Smt Nandan Devi W/o Sultan Chandra Khatri R/o Shanti Nagar Ward, Jagdalpur, District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
118. Smt Vinita W/o Basant Kumar Chouhan R/o Sadar Ward, Jagdalpur, District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
119. Veernarayan Naidu S/o Krishna Naydu R/o Keuramunda Ward, Jagdalpur, District - Bastar , District : Bastar(Jagdalpur), Chhattisgarh
120. Motilal Duggad S/o Bhomraj Duggad R/o Sadar Ward, Jagdalpur, District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
121. Smt Dharmistha Singh W/o K. K. Singh R/o- Ramaiya Ward, Jagdalpur, District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
122. Lakshami Amma Soni W/o Rama Rao Soni R/o - Jagdalpur, District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh

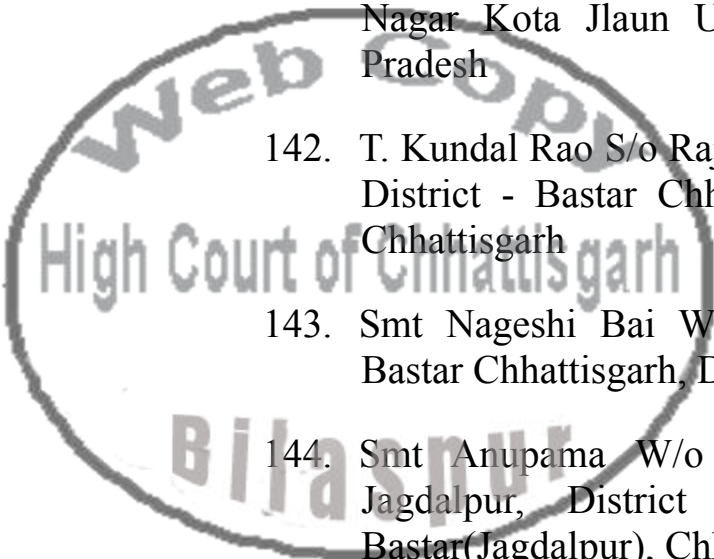


123. Abdul Kadir S/o Late Abdul Rahim R/o - Itwari Bazar, Jagdalpur , District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
124. Smt Nirmala Devi W/o Munnidevi Singh R/o - Jagdalpur , District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
125. Yam Layati Mavilla S/o Manoranjan R/o - Kumharpara, Jagdalpur, District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
126. Rajib Apparao S/o Gajanand Sinha R/o - Kotpad, Orisa, District : Koraput, Orissa
127. Smt Manik Amma Soni W/o P. Appal Swami R/o Sadar Ward, Jagdalpur, District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
128. Ram Krishann Nair R/o- Jagdalpur District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
129. Pramod Kumar S/o Jagdish Ram R/o- Jagdalpur District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
130. Pitambar Mahapatra S/o R.K. Mahapatra R/o - Bhairamganj , Jagdalpur, District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
131. Smt Saraswati Bai W/o Prabhuram Alba R/o- Jagdalpur District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
132. Hitendra Mohan Chudhary S/o Kunj Mohan Chudhary R/o - Kumharpara, Jagdalpur, District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
133. Smt Dulari Devi W/o Kamla Singh Thakur R/o- Bacheli, Jagdalpur, District - Bastar, District : Bastar(Jagdalpur), Chhattisgarh
134. Smt Shakila Begam W/o Dost Mohammad R/o- Kevramunda, Jagdalpur, District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
135. Smt Parvati Bai W/o Ratansi Vasta Chavda R/o- Kevramunda, Jagdalpur, District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh





136. Smt Chandramani D/o Basantkumar R/o - Kotpal, Orrisa, Orissa
137. Annaual Haq Indusiya R/o - Kumharpara, Jagdalpur, District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
138. Dhaniram Sharma S/o Baldev Sharma R/o- Jagdalpur District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
139. P. Chinna Rao S/o P. Appal Naidu R/o- Jagdalpur District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
140. Smt Subhadra Dasit W/o Shuryakar Dasit R/o- Gangamund Jagdalpur, District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
141. Jwala Prasad Ahirvar S/o Gumman Chudhry R/o Gandhi Nagar Kota Jlaun Uttarpradesh , District : Jalaun, Uttar Pradesh
142. T. Kundal Rao S/o Rajgopal Rao R/o - Dharpura, Jagdalpur, District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
143. Smt Nageshi Bai W/o Devnath R/o- Jagdalpur District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
144. Smt Anupama W/o T. Kundal Rao R/o - Dharpura, Jagdalpur, District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
145. Smt Subha Rambho W/o P. Lakshmi Narayan R/o- Kevramunda, Jagdalpur, District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
146. Bharat Chikhlikar S/o Harihar Chikhlikar R/o- Jagdalpur District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
147. Harinarayan Suryavanshi S/o Bhiranlal Suryavanshi R/o- Jagdalpur District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
148. Budhram S/o Sobharam R/o - Police Line, Jagdalpur, District- Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh





149. Chagan Lal Bhura S/o Tulaiya Ram Bhura R/o- Jagdalpur District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
150. Devnath Bhura S/o Tuaiya Ram Bhura R/o- Jagdalpur District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
151. Satya Dev Bhura S/o Tuaiya Ram Bhura R/o- Jagdalpur District - Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
152. Subrat Ranjan Das S/o Satya Ranjan Das R/o Maharani Hospital Ward, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
153. Sudha Sahu W/o Gadesh Kumar R/o Maitri Singh, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
154. Sulabh Mishra W/o Rajesh Kumar R/o Santhosi Ward Sangh, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
155. Sulja Jha W/o Dilip Jha R/o Maharani Ward, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
156. Shankar Prasad Tiwari S/o Chaitanya Prasad R/o Gangamunda Para, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
157. Datadin Sao S/o Gopinath Sao R/o Pratapgang Para, Jagdalpur, District Bastar, Chhattisgarh

.....Purchasers Respondent No. 152 To 157

158. Smt. Susamma Gorge W/o Platus R/o Jagdalpur, District Bastar, Chhattisgarh,
159. Satish Kumar Jain R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
160. Abhya Kumar Jain R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
161. Jaichandra Jain R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh



162. Pradeep Kumar Jain S/o Premchandra Jain R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
163. Basant Kumar Jain S/o Premchandra Jain R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
164. Gurudev Singh S/o Sardar Jagpal Singh R/o Jaipur Koraput, Orissa., District : Koraput, Orissa
165. Sukhbeer Singh S/o Deevan Singh R/o Rajmahl, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
166. Manisha Juna D/o Aalya Isai R/o Kumharpara, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
167. Sunil Singh S/o Rakhelchandra Sen R/o Nayamundda, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
168. Chonori Mohammad S/o Mohammad R/o Pratapgang Para, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
169. Kanhaiyalal Mandal S/o Mandal Ishwar Aadhr R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
170. Smt Parvati Ratan Brabha W/o Padlam R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
171. Sakuntala Gautam W/o Jagdish Prasad R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
172. Smt. Haldhar W/o Harilal R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
173. Salav Ranjan Kar S/o Durga Mohan Lal R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
174. Smt. Kriti Bai W/o Nirmal Benarji R/o Jagdalpur, District Bastar, CG, District : Bastar(Jagdalpur), Chhattisgarh



175. Jaikumar Jain S/o Lt. Kamalchandra R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
176. Nirmal Kumar S/o Kamal Chandra Jain R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
177. T. Parvati Soni W/o P. Appal Swami R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
178. K. Venketvatsala Rao S/o K. Khandeshvar R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
179. Kundan Singh S/o Lakha Singh R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
180. Sardar Divan Singh S/o Sardar Singh R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
181. Smt. Balveer Kour W/o Sardar Divan Singh R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
182. Smt. Padma Tiwari W/o Mateshar R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
183. Chote Khan S/o Yusuf Ali Khan R/o Malkangiti Kuraput, Orissa., District : Koraput, Orissa
184. Jethmal S/o Nagraj Khatri R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
185. Smt. Sagni Devi W/o Jyethmal Khatri R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
186. Omprakash S/o Ghasiram Malvi R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
187. Umashankar Bajpai S/o Late Gangacharan Bajpai R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh



188. Khemchandra S/o Rekhchandra Jain R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
189. Liladhar S/o Bhojraj Khatri R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
190. Bhavar Lal S/o Hastimal Jain R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
191. Premchandra S/o Sardarmal Jain R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
192. Mahila Siddh Nirmal Yojna By Smt Shashikiran Jha, W/o Jaiprakash Jha, R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
193. Smt Santosh Rani Chokar W/o Rajroop Singh R/o Abhaguda, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
194. Smt Savita Chaudhry W/o Hirendra Mohan Chudhary R/o Kumharpara, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
195. Janman Mohan S/o K. N. Jyonathan R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
196. Magraj Khatri S/o Dalchandra Khatri R/o Pratapgang, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
197. Dingadamal S/o Dalchandra Khatri R/o Pratapgang, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
198. Ranidan D/o Bhikhamchandra Chandraak R/o Pratapgang, Jagdalpur, District Bastar, Chhattisgarh
199. Devkishan S/o Udaram Tiwari R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
200. Smt. Sushila Daga W/o Satish Kumar Daga R/o Pratapgang, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh



201. Darshan Singh S/o Dattar Singh Sardar R/o Jaipur, Orissa., Orissa
202. Anup Bagchi S/o Amlendru Bagchi R/o Kumharpara, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
203. Bhagwati Prasad S/o Mahadev Prasad Mishra R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
204. Smt. Ramkumari W/o Bansilal Bajpai R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
205. Smt Kamla Tiwari W/o Vijay P.D., R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
206. Smt. Ramkumari W/o Bansilal Bajpai R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
207. R S Athaiya S/o Jayram Singh R/o Pathraguda, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
208. Yogendra Singh S/o Kartar Singh R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
209. Dinesh Kumar S/o Prithvipal Mishra R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
210. R D Dhruv S/o S R Dhruv Gond R/o Pathraguda, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
211. Sohan Lal Bhura S/o Tulyaram Bhura R/o Jagdalpur, District Bastar, CG, District : Bastar(Jagdalpur), Chhattisgarh
212. Kamal Kumar S/o Tulyaram Bhura R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
213. Babaseth Lakshaman Rao S/o V Krishnmurti R/o Amaguda, Jagdalpur, District Bastar, Chhattisgarh



214. Tunnu S/o Villiam R/o Amaguda, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
215. Smt. Radhamani Singh W/o Lal Pratap Singh R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
216. Smt Sobha Marvah W/o Radheman Marvah R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
217. Ashok Aanand S/o Devraj Aanand R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
218. Vimla Aanand W/o Devraj Aanand R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
219. Vimla Aanand W/o Devraj Aanand R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
220. Ashok Aanand S/o Devraj Aanand R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
221. Ashvani Aanand S/o Devraj Aanand R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
222. Sudarshan Kumar Dua` S/o Balram Dua R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
223. Suresh Kumar Dua S/o Bulram Dua R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
224. Parvindar Singh Chadda S/o Rajendra Singh Chadda R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
225. Noor Mohammad D/o Ahmad Nbi R/o Jagdalpur, District Bastar, Chhattisgarh
226. Mohan Pratap S/o Bansilal Sahani R/o Civil Line Raipur, Chhattisgarh, District : Raipur, Chhattisgarh

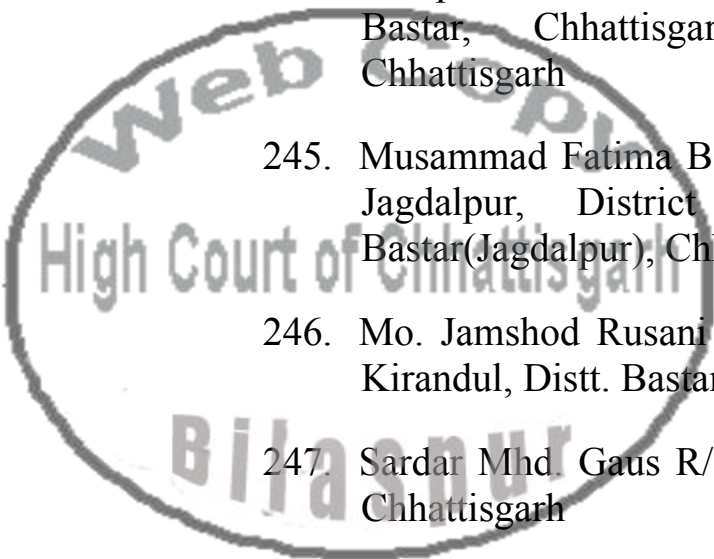


227. Rameshchandra Upadhyay S/o Prabhashankar Upadhyay R/o Kondagaon, District- Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
228. Dharmendra Kumar Sharma S/o Kapildev Sharma R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
229. Smt Geeta Bai W/o Mulidhar Devangan R/o Bhairamgang Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
230. Mohammad Amnulla S/o Mo. Yusuf R/o Kirundul, District Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
231. Geeta Naidu W/o V. Danteshvar Naidu R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
232. Smt. Pushpa Dev W/o Abhimanyu Dev R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
233. Malti Dev W/o M S Vishvkarma R/o Gangamuda , Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
234. Nityanand S/o Satishchandra R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
235. Nalini Ranjan Rai W/o Harihar Rai R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
236. Noor Mohammad S/o Ahmad Bhai R/o Kevramuda Ward Jagdalpur, Dist Bastar, CG, Dist : Bastar(Jagdalpur), CG
237. Hazi Aba Saheb Madni W/o Mo. Ali Madni R/o Vijaynagram Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
238. Smt Kamal Jeet Kaur Dhillon W/o Sardar Ishvan Singh Dillan R/o Moti Tatabpara, Jagdalpur, District Bastar, Chhattisgarh
239. Malathi Lakshamand Prasad S/o M Lakshminarayan R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh





240. Goalpudi Shorab Murti S/o Shamyra R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
241. T. Anjanelu S/o T Narsimhamurti R/ Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
242. M. Lakshamnan Prasad S/o Venktesh Varlu R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
243. M Lakshaminarayan S/o Venktesh Varlu R/o Jagdalpur, District Bastar, Chhattisgarh Chawli Bhanu Murti, S/o Venktesh Varlu, R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
244. Goalpudi Sao S/o Goalpudi Saimyya R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
245. Musammad Fatima B W/o Mo. Jamshod (Babaji Saheb) R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
246. Mo. Jamshod Rusani Urf Babaji Saheb S/o Mo. Sultan R/o Kirandul, Distt. Bastar, Chhattisgarh, Chhattisgarh
247. Sardar Mhd. Gaus R/o Kirandul, Distt. Bastar, Chhattisgarh, Chhattisgarh
248. Mhd. Sultan R/o Kirandul, Distt. Bastar, Chhattisgarh, Chhattisgarh
249. Mhd. Sattar R/o Kirandul, Distt. Bastar, Chhattisgarh, Chhattisgarh
250. Mhd. Khvaja R/o Kirandul, Distt. Bastar, Chhattisgarh, Chhattisgarh
251. Mhd. Siddhqi Husain Urf Babaji Saheb Muslim R/o Kirandul, Distt. Bastar, Chhattisgarh, Chhattisgarh
252. Durga Singh S/o Devi Singh Negi R/o Kumharpara, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh





253. Puran Singh S/o Devi Singh Negi R/o Kumharpara, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
254. Dr. Manjulata D/o Ambika Prasad Avasthi R/o Budhapara Raipur, Chhattisgarh
255. Dinesh Prate S/o Lt. Dasrath Parte
256. Kumari Anjana Pratre D/o Lt. Dasrath Parte
257. Sanjay Prate D/o Lt. Dasrath Parte
258. Rajana Jhode D/o Lt. Dasrath Parte

Respondents No.255 to 258 are R/o Vrindavan Colony, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh

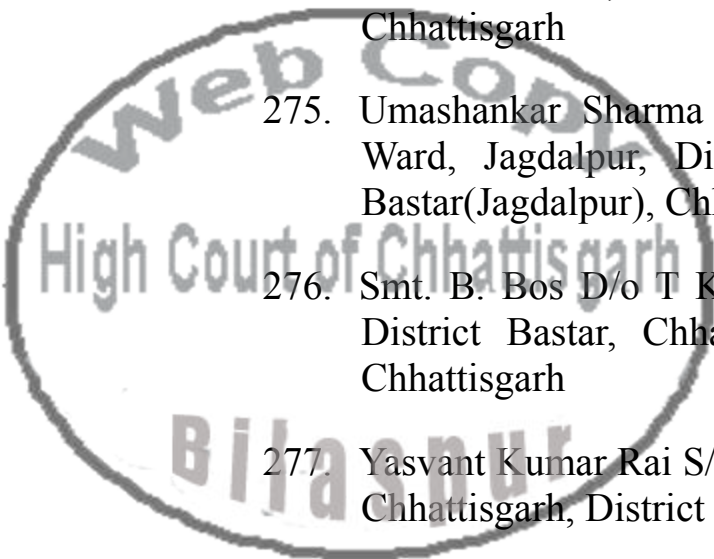
259. Giriraj Mahavar S/o Lt. Khemchandra Mahavar
260. Smt. Vidhya Mahavar W/o Lt. Khemchandra Mahavar
261. Smt Anita Gupta D/o Lt. Khemchandra Mahavar
262. Kumari Sangita Gupta D/o Lt. Khemchandra Mahavar
263. Smt Mamta Gupta D/o Lt. Khemchandra Mahavar
264. Smt. Kavita Gupta D/o Lt. Khemchandra Mahavar
265. Smt. Shweta Gupta D/o Lt. Khemchandra Mahavar
266. Smt Sunita Mahavar D/o Lt. Khemchandra Mahavar

Respondents No.259 to 266 are R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh

267. Sarla D/o Ramsvarup Mishra R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
268. Amritlal S/o Bhauji Bhai R/o Mahadev Ghat Para, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
269. Smt Kalpana Kar W/o C K Pottdar R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh

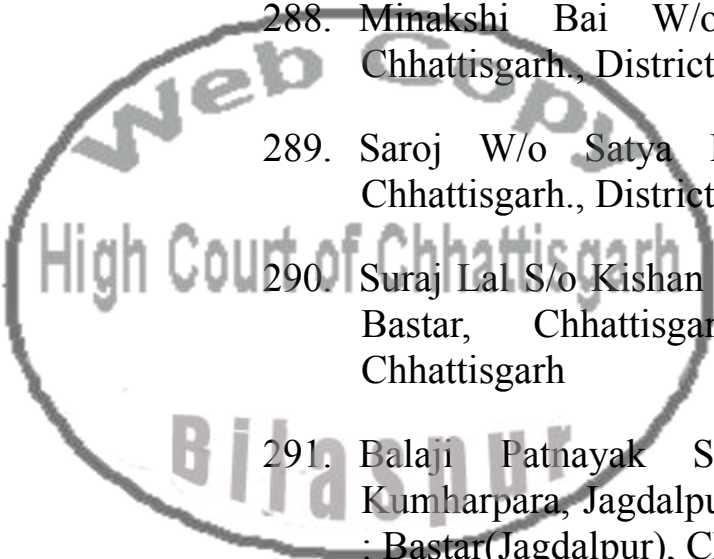


270. Smt. Ranjana Nair W/o C K Nair R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
271. Kamal Krishn Chudhary S/o J K Chudhary R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
272. Shivkumar S/o Shivbodhan Prasad R/o Danteshvari , Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
273. Shyama Prasad Mukharji S/o Tirath Prasad Mukharji R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
274. Abdul Hafis Khan S/o Abdul Rashid Khan R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
275. Umashankar Sharma S/o Ramdas Sharma R/o Kevramuda Ward, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
276. Smt. B. Bos D/o T K C Bos R/o Vijay Bhawan, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
277. Yasvant Kumar Rai S/o S. Ram R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
278. Yusuf Iqbal S/o Mo. H. Quraishi R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
279. Smt. Noorjhan Begam D/o Ramjan Khan R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
280. Govind Pillye S/o Kumar Swamipilly R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
281. Tarachandra Agrawal S/o Rameshvar Agrawal R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
282. Smt Pramila D/o Mehatar Ram Dhruv R/o Jagdalpur, District Bastar, CG, District : Bastar(Jagdalpur), Chhattisgarh





283. Manohar Lal S/o Hariram Bachwani R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
284. Angad Singh S/o Ram Singh Thakur R/o Raipur, Chhattisgarh.
285. Baba Rao S/o Krishna Rao R/o Kumharpara, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
286. Ishvarkar R/o Kumharpara, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
287. Mohindra Kumar S/o Jain R/o Kevramuda Ward Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
288. Minakshi Bai W/o Makkhanlal Gupta R/o Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
289. Saroj W/o Satya Prakash Sahu R/o Motipara Durg, Chhattisgarh., District : Durg, Chhattisgarh
290. Suraj Lal S/o Kishan Lal Thantharate R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
291. Balaji Patnayak S/o Satya Narayan Patnayak R/o Kumharpara, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
292. Ramesh Kumar S/o Brijlal Dewangan R/o Kumharpara, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
293. Kalawati W/o Dhanrajmal Sindhi R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
294. Ganeshi Bai W/o Devnath Bhura R/o Pratapgang, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
295. Anumala Sushma W/o Anumala Sitaramaiya R/o Kumharpara, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh





296. K. Peddi Raju S/o Peddi Tekli R/o Kumharpara, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
297. Chandraa Bai W/o Abir Chandra Jain R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
298. Girdhar Gopal S/o Pal Singh Dewangan R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
299. Jugwati Bai W/o Maniram Dewangan R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
300. A V Nageshvar Rao S/o A V Jagannath Rao R/o Maharani Hospital Ward, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
301. Jitendra Kumar S/o V P Naththulal Dewangan R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
302. Manoj Kumar S/o V P Naththulal Dewangan R/o Bhairamgang Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
303. Tarun Kumar S/o V P Naththulal Dewangan R/o Bhairamgang Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
304. Ramchandra Nagrani S/o Govardhan Das Nagrani R/o Pratapgang, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
305. Sekh Vahit Quraisi S/o Sekh Karim Quraisi R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
306. Fatte Singh S/o Rao Uday Singh R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
307. Damedar S/o Rambhau Kale R/o Dokrighat Para, Jagdalpur, District Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh





308. Rambhai R/o Dokrihat Para, Jagdalpur, District Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
309. Damodar S/o Krishnadatt Tiwari R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
310. Dinesh Chandra S/o Vishnudatta Upreti R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
311. Y V Raman Rao S/o Y V Surya Rao R/o Kevramuda Ward Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
312. Abdul Karim Khan S/o Abdul Sattar Khan R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
313. Karimulla Khan S/o Abdul Sattar Khan R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
314. Nirmla Rathor W/o Shivilal Bhai R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
315. Basant S/o Ramchandra Baldev R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
316. Shivshankar S/o Mahadev Shikkar R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
317. Smt. Keki Bai W/o Satyadev Bura R/o Jagdalpur, District Bastar, CG, District : Bastar(Jagdalpur), Chhattisgarh
318. Lolugu Ramarao S/o Satyanarayan Nayadu R/o Kevaramunda Ward, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
319. Satyadev S/o Ramnarayan Tiwari R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
320. Rajesh Tiwari S/o Vidya Sagar Tiwari, R/o Ramaiyapara, Jagdalpur, District Bastar, Chhattisgarh



321. Kuwar Rani Sushil Kumari W/o Kuwar Durgadas R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
322. Chandra Prakash Singh S/o Raghuveer Singh R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
323. Rajesh Tiwari S/o Lt. Vidya Sagar Tiwari Aged About 30 Years
324. Roma D/o Lt. Vidya Sagar Tiwari Aged About 28 Years
325. Geeta D/o Lt. Vidya Sagar Tiwari Aged About 31 Years
326. Meena D/o Lt. Vidya Sagar Tiwari Aged About 30 Years
327. Usha D/o Lt. Vidya Sagar Tiwari Aged About 33 Years
328. Renu D/o Lt. Vidya Sagar Tiwari Aged About 25 Years

Responents No.323 to 328 are R/o Motitalab Para, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh

329. Mihir Kumar S/o Jogendra Chandra Visvash (Dead through Legal Heirs)
- (a) Smt. Mandikuntala Bose, W/o Tushar Kanti Bose
- (b) Malay Visvash, S/o Mihir Kumar Visvash
- (c) Mridula Visvash, D/o Mihir Kumar Visvash
- (d) Bulbul Visvash, D/o Mihir Kumar Visvash
- (e) Papaiya Visvash, D/o Mihir Kumar Visvash

Respondents No.329 (a) to (e) are R/o D.K. Press, Vrindavan, Jagdalpur, Dist. Bastar (CG).

330. Anup Kumar S/o Amal Kumar Bangchi R/o Kumharpara, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
331. Tusarkanti Bos S/o Dr. R.L. Bos R/o Kevramuda Ward Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh



332. Chaganlal Bhura S/o Tulaiyaram Bhura

333. Devnath Bhura S/o Tulaiyaram Bhura

334. Satyadev Bhura S/o Tulaiyaram Bhura

335. Kamal Kumar Bhura S/o Tulaiyaram Bhura

Respondents No.332 to 335 are R/o Pratapganj Para, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh

336. Ram Krishna S/o Pal Singh Dewangan R/o Subhash Ward, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh

337. K M Surendran S/o M. Madhwan R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh

338. Smt. P.R. Monamma W/o K M Surendran R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh

339. Ramanand Shri Vashu R/o Geedam Road, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh

340. Sapan Kumar Roy S/o N C N Roy R/o Kumharpara, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh

341. M A Nagariya S/o Yusuf Nagariya R/o Kewramunda Ward, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh

342. K Durga Bai W/o K Shyamlal Rao R/o Kewramunda Ward, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh

343. Jogendra Singh S/o Sardar Diwan Singh R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh

344. Sukhbeer Singh S/o Gurdan Diwan Singh R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh

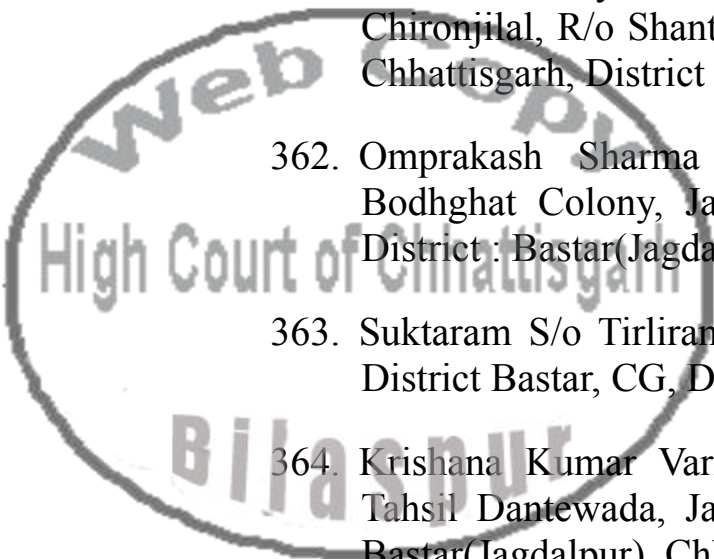




345. Sheshnath Panday S/o Ambika Prasad Panday R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
346. Banshilal Chandraak S/o Motilal Chandraak R/o Pratap Ward, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
347. Ashok Joshi R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
348. V K Kuriyan Kosh S/o Kuriya Kosh Govt. Employs P H E , R/o Dantewada, District Dantewada Chhattisgarh, District : Dantewada, Chhattisgarh
349. L Kuriya Kosh S/o K D Kuriya Kosh Govt. Employs P H E , R/o Dantewada, District Dantewada Chhattisgarh, District : Dantewada, Chhattisgarh
350. Motilal Duggad S/o Shobhraj Duggad R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
351. Govind Sharma S/o Vegraj Sharma R/o Itwara Bazar Ward, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
352. Smt. Ayati Bai W/o Sataram Yadav R/o Mahadev Ghat Para, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
353. G V Narayan Naydu S/o Lt. Krishana Naydu R/o Kewramunda Ward, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
354. Smt. Vinita W/o Basant Kumar Chohan R/o Sadar Ward, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
355. Smt Urmila Devi W/o Rajkumar Lal R/o Kacorapara, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
356. Shri Nijamuddin S/o Babu Ali R/o Kacorapara, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh



357. Smt. Jadav Devi W/o Sitan Chandra Khatri R/o Shanti Nagar Ward, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
358. Smt. V Suramma W/o V. Shri Ramlu R/o Kumharpara, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
359. Ravindra Bihari Vinod Bihar Ghusu Padari , R/o Jaipur M. Lalkikar Kathrin Church, District Koraput, Orissa, Local Address Kumharpara Jagdalpur, District Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
360. Shri Kaluram Chandraak S/o Motilal Chandraak R/o Pratapdev Ward, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
361. Mahawar Vaisya Sewa Sansthan C/o President Premlal S/o Chironjilal, R/o Shantinagar Ward, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
362. Omprakash Sharma S/o Kishan Chandra Sharma R/o Bodhghat Colony, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
363. Suktaram S/o Tirliram R/o N M D C Kirandul , Jagdalpur, District Bastar, CG, District : Bastar(Jagdalpur), Chhattisgarh
364. Krishana Kumar Varma S/o Sundarlal Varma R/o Barsur, Tahsil Dantewada, Jagdalpur, District Bastar, CG District : Bastar(Jagdalpur), Chhattisgarh
365. Smt. Suhag Devi W/o Rajendra Singh Chohan R/o Ganganagar Ward, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
366. Govind Sharma S/o Begraj Sharma R/o Itwari Bazar Ward, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
367. Udaykant Jha S/o Anirudra Jha R/o Hikmipara, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
368. Ranjeet Kumar Niyogi S/o Motindra Nath Niyogi R/o Kirandul, District Dantewada, Chhattisgarh, District : Dantewada, Chhattisgarh





369. Tarakant Jha S/o Anirudh Jha R/o Hikmipara, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
370. Suryakant Jha S/o Anirudh Jha R/o Hikmipara, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
371. Khairun Nisha S/o Mohammad Yakub R/o Hikmipara, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
372. Raj Mohammad S/o Nashirudin R/o Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
373. Prabhakar Damodar S/o Damodar Bakshi R/o Kirandul, District Dantewada, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
374. Birendra Ghosh S/o Satish Ghosh R/o Kirandul, District Dantewada, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
375. Vivekanand Singh S/o Dashrath Singh R/o Kirandul, District Dantewada, Chhattisgarh, District : Dantewada, Chhattisgarh
376. Vishnu Pad S/o Baburao R/o Kirandul, District Dantewada, Chhattisgarh, District : Dantewada, Chhattisgarh
377. Praful S/o B. Nagendra Haldhar R/o Bangali Camp Kirandul, District Dantewada, Chhattisgarh, District : Dantewada, Chhattisgarh
378. Ratiram S/o Hirduram Bhatra R/o Kirandul, District Dantewada, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
379. Kamla Rani Kar S/o Ajit Kumar Kar R/o Kirandul, District Dantewada, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
380. Indrajeet Singh S/o Sardar Harnam Singh R/o Kirandul, District Dantewada, Chhattisgarh, District : Dantewada, Chhattisgarh
381. Ujagar Singh S/o Madhav Singh R/o Kirandul, District Dantewada, Chhattisgarh, District : Dantewada, Chhattisgarh



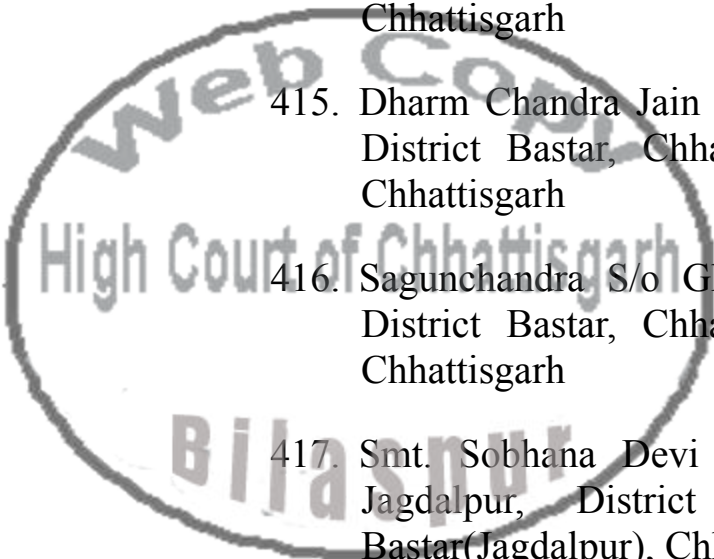
382. Jagarnath Singh S/o Jaisingh Bhardwaj R/o Kirandul, District Dantewada, Chhattisgarh, District : Dantewada, Chhattisgarh
383. Smt. Usha Rani W/o S K Sharma R/o Kirandul, District Dantewada, Chhattisgarh, District : Dantewada, Chhattisgarh
384. Ganesh Ram Anand S/o Balbhadra Anand R/o Kirandul, District Dantewada, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
385. Ramadhin Yadav S/o Bhungeshwar Yadav R/o N M D C Kirandul, District Dantewada, Chhattisgarh, District : Dantewada, Chhattisgarh
386. Suktaram S/o Thirali Ram Muriya R/o N M D C Kirandul, District Dantewada, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
387. Champalal Vaidh S/o Lankaram Vaidh R/o Sirasar Chowk, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
388. Smt. Tohra Begam W/o Mo. Umar Khan R/o N M D C Kirandul, District Dantewada, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
389. Nageh Dutta Jha S/o Laxmi Dutta Jha R/o Sirashar Chowk, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
390. Sahidhull Jama Rijvi S/o Mh. Nijamudin Rijvi R/o N M D C Kirandul, District Dantewada, Chhattisgarh, District : Dantewada, Chhattisgarh
391. Smt. Sunaina Devi W/o Rajendra Prasad Varma R/o Bacholi , District Dantewada, Chhattisgarh., District : Dantewada, Chhattisgarh
392. Smt. Iarshad Begam S/o Abdul Rashid R/o M P E B Kirandul, District Dantewada, Chhattisgarh, District : Dantewada, Chhattisgarh
393. Smt. Chandrakala W/o Sudama Shrivastav R/o Dokatighat Para, Jagdalpur, District Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
394. Smt Ratna Rana W/o P S Rana R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh



395. Kuwar Chandra Singh S/o Vinayak Singh R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
396. Smt. Sakuntala Srivashtav S/o N B Srivashtav Sub Engineer PWD, Motitalab Para, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
397. Smt. Kusum Bai Pegad W/o Sukhram Pegad R/o Ganganagar Ward, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
398. Kamal Kumar S/o Jagdish Roy R/o Itwari Bazar Ward, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
399. Champalal S/o Lankaram R/o Motitalabpara, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
400. Sanjeev Kapoor [Deleted – in compliance of Order Dated 05-04-2019].
401. Smt. Prabhati Bai W/o Ramlal R/o Neelgudapara, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
402. Sadashiv S/o Manbodh Sahu R/o Kirandul, District Dantewada, Chhattisgarh, District : Dantewada, Chhattisgarh
403. Rajdhar Yadav S/o Gangaghar Yadav R/o Kirandul, District Dantewada, Chhattisgarh
404. Mahendra Singh S/o Madhav Singh Sikkh R/o Kirandul, District Dantewada, Chhattisgarh
405. Chandan Singh S/o Laxmi Singh R/o Kirandul, District Dantewada, Chhattisgarh, District : Dantewada, Chhattisgarh
406. Ramkrishana S/o Raghunath Dewangan R/o Kirandul, District Dantewada, Chhattisgarh
407. Ganga Ghar Soni S/o Hablal Soni R/o Kirandul, District Dantewada, Chhattisgarh, District : Dantewada, Chhattisgarh
408. Saiyad Akbar Ali S/o Saiyad Jamal R/o Kunwaramunda Ward, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh



409. Ghasiram S/o Brijlal Sao R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
410. Kaliram S/o Brijlal Sao R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
411. Brijlal R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
412. Trilochan Singh S/o Sundar Singh R/o Gangamunda Para, Jagdalpur, District Bastar, Chhattisgarh. [Ex-Parte]
413. Ravalmal Jain S/o Nemichandra Jain R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
414. Shrimal Jain S/o Nemichandra Jain R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
415. Dharm Chandra Jain S/o Nami Chandra Jain R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
416. Sagunchandra S/o Ghasidas Malviya Rathi R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
417. Smt. Sobhana Devi S/o Jagdish Prasad Khandelwal R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
418. Rajendra Kumar S/o Ram Kumar Mishra R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
419. Chetan Hari Narayan Suryavanshi S/o Viram Lal Suryavanshi R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
420. Moshina Yunus D/o Eliyo Ishai R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
421. Kulmuli Rao Sahani S/o K S Ramchandra Rao R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh

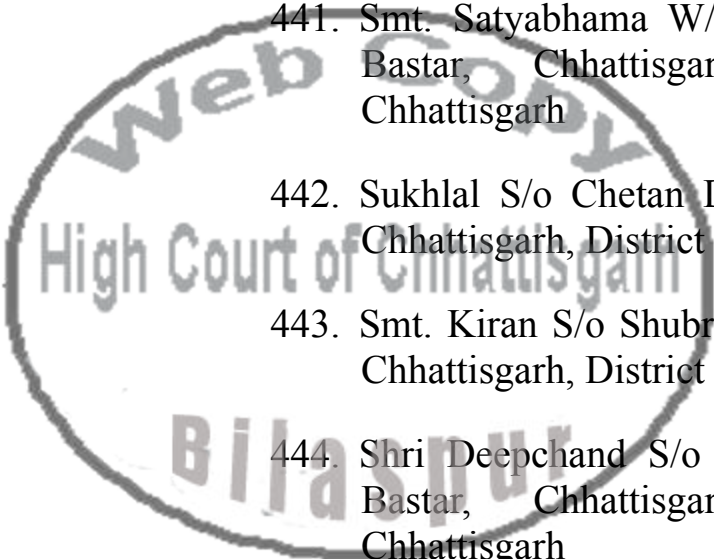




422. Champa Devi W/o Madan Lal Chandraak R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
423. Radha Devi W/o Ajmal Solanki R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
424. Pramod Kumar S/o Jagdish Roy R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
425. Rajan Apparao S/o Rajan Narshingharao R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
426. Smt. Manikamma Soni W/o P. Appal Swami R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
427. Smt. Lolgu Padmavati W/o Lolgu Krishana Rao R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
428. Ravikumar Srivashtav S/o Damodar Lal Srivashtav R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
429. Smt. Usha Gondi W/o Lt. Sunil Gondi Aged About 40 Years
430. Ku. Pinky D/o Lt. Sunil Gondi Aged About 26 Years
431. Ku. Pooja D/o Lt. Sunil Gondi Aged About 23 Years
432. Mohit Gondi S/o Lt. Sunil Gondi Aged About 18 Years
- Respondents No.429 to 432 are R/o Kewaramunda Ward Murti Line Jagdalpur, District Bastar, Chhattisgarh
433. Sanjeev Kumar Jain S/o Vijay Kumar Jain R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
434. Munna Lal S/o Dayaram Pasine R/o Jagdalpur, District Bastar, CG, District : Bastar(Jagdalpur), Chhattisgarh
435. Mohammad Akhtar Kureshi S/o Mohammad Ibrahim Kureshi R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh



436. Smt. Kalpana Kar W/o S R Das R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
437. Ramesh Kumar S/o Gangaram R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
438. Smt. Vimal Nag Dev W/o Yugal Nag R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
439. Golpudi Sambhu Murti S/o Golpudi Ramaiya R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
440. Narendra Kumar S/o Bindchandra Jain R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
441. Smt. Satyabhama W/o P V Bhama R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
442. Sukhlal S/o Chetan Dhurwa R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
443. Smt. Kiran S/o Shubramadiya R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
444. Shri Deepchand S/o Magalchandra R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
445. Ashish Chandrar S/o Laxmichandra R/o Mahadev Ghat Para, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
446. Kishore Kumar S/o Keshrichandra Parkh R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
447. Y N Ramna Rav S/o Y N Subarav R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
448. Rajnikant Padiya S/o P S Padiya R/o Jagdalpur, District Bastar, Chhattisgarh, C/o Mr. Arjun Das, S/o Amrit Das, R/o Near Murgi Form, Jagdalpur, Dist. Bastar, CG.





449. Dr. Dharmend Kumar S/o Kapil Dev Sarma R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
450. Parvindar Singh S/o Guruvchan Singh R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
451. Jusvindar Singh S/o Guruvchan Singh R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
452. Dinanath S/o Rajkisore Misra R/o Bacheli, Dantewada, Chhattisgarh
453. Shivparsad Dube S/o Surjpal Dube R/o Bacheli, Dantewada, Chhattisgarh
454. Smt. Sanilal W/o Arun Chhua R/o Gangamunda Para, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
455. Pramod Kumar Motwal S/o Purusotam Motwal R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
456. Yogendra Kumar Motwal S/o Purusotam Motwal R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
457. Kalipad Mandal S/o Achan Kumar Mandal R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
458. Jay Kumar Jain S/o Shayam Chhand Jain R/o Jagdalpur, District Bastar, CG, District : Bastar(Jagdalpur), Chhattisgarh
459. Satish Kumar Jain S/o Jaichhand Jain R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
460. Nirmal Kumar Jain S/o Semal Chhand Jain R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
461. Dost Mohammad S/o Nure Mohammad R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh



462. Smt. Vidushi Chaturvedi W/o V C Chaturvedi R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
463. Smt. Subhdra W/o Surychandra R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
464. Kumari Kushiliya S/o Gopal Das Meghani R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
465. Sangeeta Jain S/o Ravlmal Ganga R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
466. Kunwar Lal Jain S/o Rawnal Ganga R/o Bhairamganj Ward Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
467. Smt. Ashutosh Devi W/o Vikram Pandit R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
468. Ramkrishana Rav S/o Laxman Pawar R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
469. Smt. Subbalaxmi W/o Laxminarayan R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
470. P N Devendra Kumar S/o P Umasankar Rav R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
471. Tukaram S/o Naryan Rav Chhvhan R/o Village Merth Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
472. Smt. Madhu Shrivastv W/o A P Shrivastav R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
473. Smt. Vijay Laxmi W/o Premlal Mhavar R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh

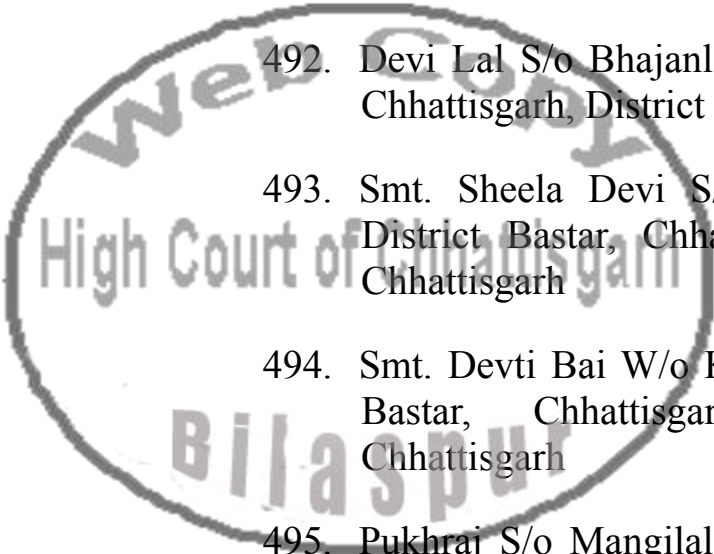


474. Yadu Pratap Singh S/o Uday Singh Thakur R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
475. Bhaktipriya S/o P Ramkrishn R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
476. Roshan Lal S/o Hemraj Saw R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
477. Rajendra Kumar S/o Hemraj Saw R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
478. Guljar Singh S/o Ajjit Singh R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
479. Abhijit Hudiker S/o Kishor Hudikar R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
480. Satish Kumar S/o Sevk Ram Thavani R/o Kewramunda Ward, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
481. Premchandra S/o Sevk Ram Thavani R/o Kewramunda Ward, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
482. Maheswar Achhary S/o Yadunath Achhary R/o Bhairamganj Ward Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
483. Gopal Chicholker S/o Visvnath Chicholker R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
484. Niyashi Urmila Pvt. Register No.- 10, R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
485. Umesh Chandra Vore S/o Gopal Chandra Vore R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
486. Shukhmal Dhuruwa R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh





487. Smt. Nirmla Devi W/o Munidev Singh R/o Kumharpara, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
488. Mr. Madan Lal Agrwal S/o Rameswer Lal R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
489. Ramya Ram Murti S/o Ramy Papyyaya R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
490. Bhawar Lal S/o Bhajanlal Rathi R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
491. Kaveri D/o Bhajanlal Rathi R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
492. Devi Lal S/o Bhajanlal Rathi R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
493. Smt. Sheela Devi S/o Gangabishan Rathi R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
494. Smt. Devti Bai W/o Kheti Das Rathi R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
495. Pukhraj S/o Mangilal Bothra R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
496. Bhawar Lal Bothra S/o Mangilal Bothra R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
497. M Satynaryan S/o V M Vishvnath R/o Santoshi Ward, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
498. S Gopal Krishna S/o V M Vishvnath R/o Santoshi Ward, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
499. Anil Kumar Jain S/o Trilokichandra Jain R/o Pratapganj Para Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh





500. Smt. Damyti Devi W/o Dinesh Kumar Katariya R/o Pratapganj Para Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
501. Shekh Mirja S/o Shekh Karim R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
502. Devendra Jha S/o Premanad Jha R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
503. Gunta Mukkla Borachhari S/o Gunta Mukkla Linga R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
504. Shiv Kumar Shrivastv S/o Chhran Lal Shrivastv R/o Hikmipara, Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
505. P Laxmi Patnayak W/o N Murti Patnayak R/o Bhairamganj Ward Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
506. Maharshi Dayanad Pith Near Landing Ground, Hatkchhora, R/o Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh

***Note :-** Those who have already died and whose names have already been deleted in the Court below have not been impleaded as party respondent in the instant appeal.*

----- Respondent

For Appellants

- Shri Rajeev Shrivastava, Advocate with Shri Mohan Rao and Shri Ankit Singh, Advocates

For Respondents No.1 to 4

- Shri Jitendra Singh and Shri Dhiraj Kumar, Advocates



For Respondent No.5/State

- Shri Siddharth Dubey, Deputy Govt. Advocate

For Respondents No.9 to 11 & 25

- Shri HB Agrawal, Sr. Advocate with Smt. Itu Rani Mukherjee.

For Respondents No.154 & 155

- Shri Devershi Thakur, Advocate

For Respondents No. 156, 157, 158, 171, 194, 257, 276, 288, 317 & 428

- Shri Pravin Kumar Tulsyan, Advocate

For Respondents No.495 & 496

- Shri Ashish Surana & Shri Ankit Borkar, Advocates

For Respondent No.506

- Shri Arvind Shrivastava, Advocate

Hon'ble Shri Prashant Kumar Mishra, J

Hon'ble Smt. Vimla Singh Kapoor, J

C A V Judgment

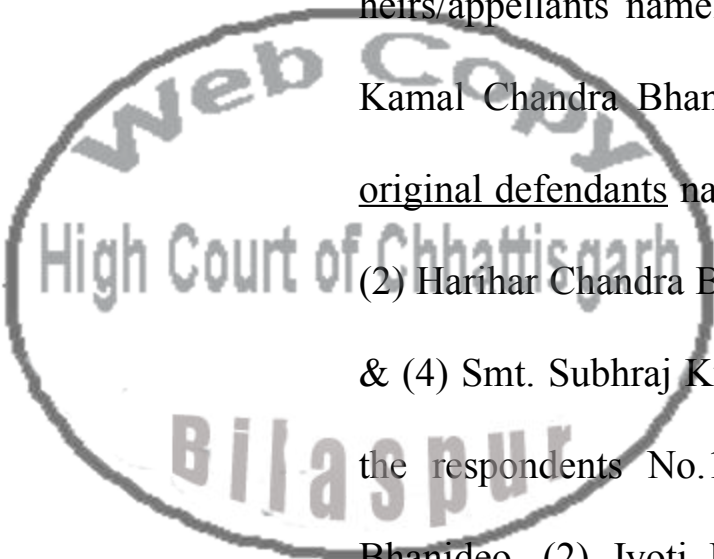
The following judgment of the Court was passed by ***Prashant Kumar Mishra, J.***

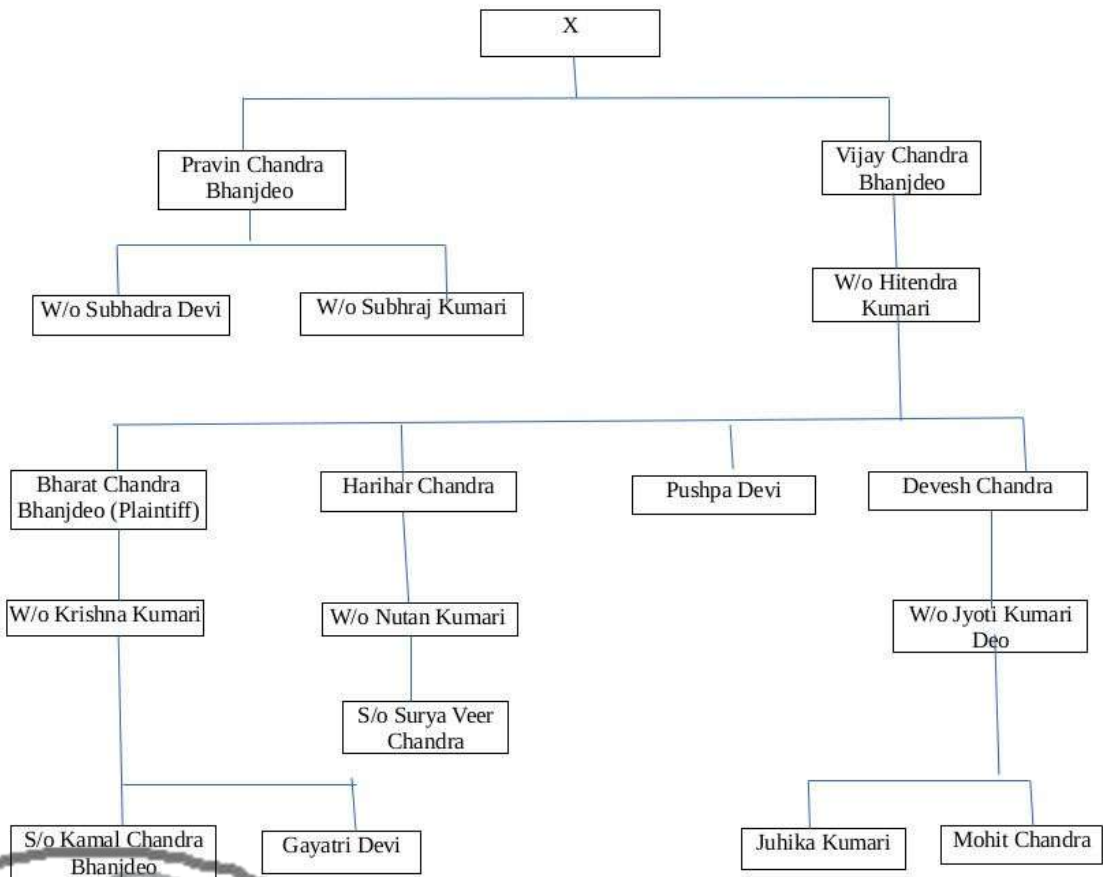
1. This appeal has been preferred by the plaintiffs to assail the legality, validity and correctness of the trial Court's judgment and decree whereby their suit for declaration of title and ownership over lands and properties in schedule 'A', 'B', 'C', 'D', 'E' & 'G' as also for setting aside the sale deeds shown in



schedule 'B', 'E' & 'G' of the plaint has been dismissed. Plaintiffs' prayer for possession of the properties in schedule 'A' (including schedule 'B'), 'E' & 'G' and for a decree to set aside the judgment and decree dated 17-2-1978 in civil suit No.2-A of 1978 of the Court of District Judge, Bastar at Jagdalpur has also been dismissed by the trial Court.

2. The main contesting parties i.e. original plaintiff Bharat Chandra Bhanjdeo now represented by his legal heirs/appellants namely; (1) Smt. Krishna Kumari Devi, (2) Kamal Chandra Bhanjdeo & (3) Ku. Gayatri Devi and the original defendants namely; (1) Smt. Hintendra Kumari Devi, (2) Harihar Chandra Bhanjdeo, (3) Devesh Chandra Bhanjdeo & (4) Smt. Subhraj Kumari alias Vedvati now represented by the respondents No.1 to 4 namely; (1) Harihar Chandra Bhanjdeo, (2) Jyoti Kumari Bhanjdeo, (3) Mohit Chandra Bhanjdeo & (4) Kumari Juhika Bhanjdeo are related to each other as they represent different branches of the Royal family of erstwhile Bastar State. Their relationship and status before the trial Court can be better understood through the following genealogical tree (as mentioned in the memo of appeal) :





Plaintiffs' case:

(as projected in the plaint)

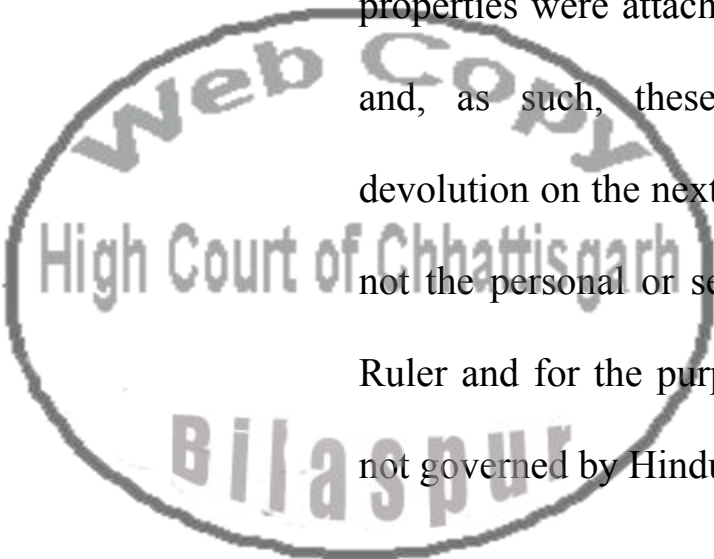
3. The suit land/properties belonged to Bastar State. The Late Maharaja & Ruler of Bastar State Shri Pravir Chandra Bhanjdeo signed the merger agreement with the Government of India (for brevity 'the GOI') on 15-12-1947 through an article of agreement merging the Bastar State with the GOI on or about 1-1-1948. Under Article 3 of the agreement Late Maharaja & Ruler was entitled to full ownership and enjoyment of private properties as distinct from State properties belonging to the Maharaja on the date of agreement.



4. On 31-3-1948 an agreement of private properties of Maharaja & Ruler of Bastar State was arrived at between the Maharaja and the Chief Minister of Madhya Pradesh on behalf of the GOI and all those properties were eventually handed over to Maharaja Pravir Chandra Bhanjdeo.

5. According to the plaintiffs, the private properties were saved from being merged in the GOI, therefore, Shri Pravir Chandra Bhanjdeo became owner thereof in the sense that the properties were attached to his position as Maharaja & Ruler and, as such, these private properties was capable of devolution on the next Maharaja. The private properties were not the personal or self acquired properties of an individual Ruler and for the purposes of inheritance and succession are not governed by Hindu Law.

6. Owing to Maharaja Pravir Chandra Bhanjdeo Kaktiya's mental infirmity the Government of Madhya Pradesh issued an order on 20-6-1953, under the approval of the GOI, declaring him to be incapable of managing his estate and the Court of Wards (MP) took charge of all the private properties attached to Maharaja of Bastar. The plaintiffs further pleaded that due to said Maharaja's involvement in subversive activities against the GOI by inciting disorder and rebellion



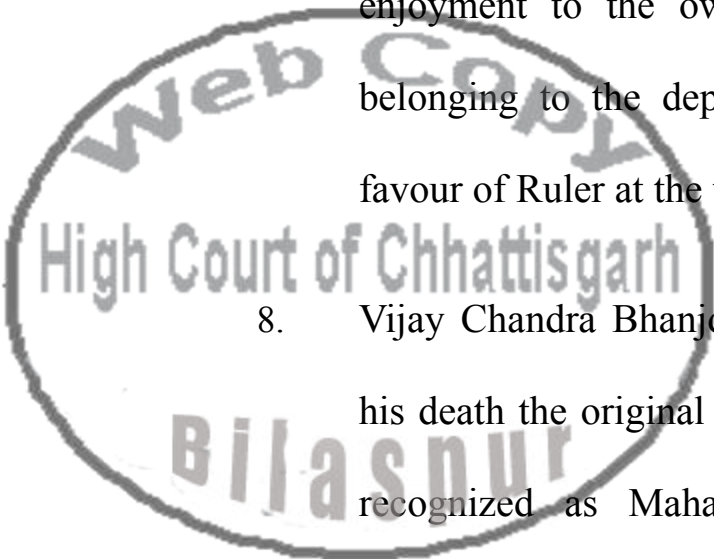


amongst the Tribals of Bastar, an order dated 12-2-1961 was passed by the GOI forfeiting all claims to the continued enjoyment of his position as Maharaja & Ruler of former Bastar State and was deposed by the GOI.

7. On 12-2-1961 Shri Vijay Chandra Bhanjdeo, father of the original plaintiff was recognized by the GOI as Maharaja & Ruler of Bastar in place of Pravir Chandra Bhanjdeo and by the said recognition obtained all the privileges, rights and enjoyment to the ownership of all the private properties belonging to the deposed Maharaja, which were saved in favour of Ruler at the time of merger.

8. Vijay Chandra Bhanjdeo died on 12-4-1970, therefore, after his death the original plaintiff Bharat Chandra Bhanjdeo was recognized as Maharaja & Ruler of Bastar vide GOI notification dated 11-7-1970 w.e.f. 12-4-1970. The original plaintiff, thus, obtained and became entitled to all the privileges, rights and enjoyments and ownership of all the private properties of the preceding Ex-Ruler.

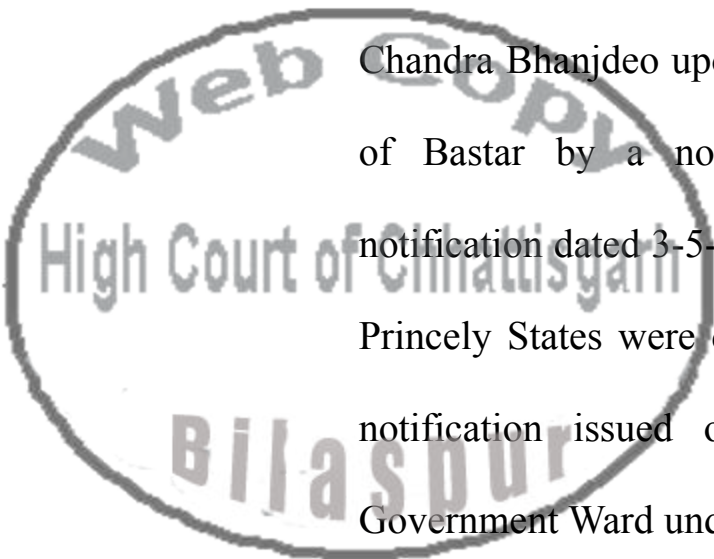
9. At that point of time i.e. as on 12-4-1970 the plaintiff being the minor, the defendant No.1 Smt. Hintendra Kumari Devi, W/o Late Shri Vijay Chandra Bhanjdeo, was working as his natural guardian.





10. It is original plaintiff's specific case that the properties belonging to the Bastar State, which were saved and attached to Maharaja Pravir Chandra Bhanjdeo, passed on to the next Ruler in accordance with the *Gaddi* custom and no other person is entitled to receive any property, which were saved to the Maharaja of Bastar State, therefore, upon forfeiture of the rights of Maharaja Pravir Chandra Bhanjdeo as a Ruler and after he was deposed, he lost all his rights over the properties and it came to be owned and enjoyed by the next Ruler Vijay Chandra Bhanjdeo upon his recognition as Maharaja & Ruler of Bastar by a notification issued by the GOI. Vide notification dated 3-5-1972 the office of Maharaja or Ruler of Princely States were derecognized or denotified by the GOI notification issued on the said date. Plaintiff was a Government Ward under the provisions of Court of Wards Act from 29-7-1972 up to 1-7-1981.

11. It was further pleaded that in 1977-78 the original defendants No.1 to 4 conspired to deprive the plaintiff from his lawfully acquired properties and forged a WILL purported to be executed by Late Pravir Chandra Bhanjdeo in favour of the original defendants No.2 & 3 on 27-2-1964. The original defendant No.4 filed a civil suit No.2-A of 1978 against the original defendants No.2 & 3 in the Court of District Judge,





Bastar for declaration that the alleged WILL dated 27-2-1964 is null & void in respect of properties shown in schedule 'A'. The suit was filed on 2-2-1978 and on 16-2-1978 the original defendant No.1 Smt. Hintendra Kumari Devi was appointed as guardian *ad litem* of the original minor defendants No.2 & 3.

12. The plaintiff and the defendants of the said suit moved applications under Order 32 Rule 7 and Order 23 Rule 3 read with Section 151 of the Code of Civil Procedure, 1908 (for brevity 'the CPC') on 17-2-1978 along with a compromise petition and a compromise decree was passed on the same day in the following terms :

- स्वर्गीय महाराजा प्रवीरचंद्र भंजदेव की समस्त चल एवं अचल सम्पत्ति पर दोनों पक्षों का आधा-आधा हिस्सा होगा।
- दोनो पक्ष स्वर्गीय महाराजा प्रवीरचंद्र भंजदेव की समस्त लेनदारिया के आधे-आधे हिस्सेदार रहेंगे।
- श्रीमती वेदवती जी ने जो विक्रय कृषि भूमि करने का करार किया है, उसके विक्रय की आधी धन राशि उन्हें श्री हरिहरचन्द्र भंजदेव व श्री देवेश चन्द्र भंजदेव, वली राजमाता हितेन्द्र कुमारी देवी का नगद भुगतान करना होगा। जब तक श्रीमती वेदमती जी उक्त आधी रकम भुगतान नहीं करेगी तब तक वृन्दावन बगीचा की सात एकड़ भूमि विक्रय नहीं कर सकेगी। इस सम्बन्ध



में खाड़कघाट वसमुद के नीचे की भूमि तथा ग्राम पदमूर, धनियालूर एवं नानगुर की कृषि भूमि मानी जावेगी।

- समस्त नजूल भूमि पर दोनो पक्षों का समान अधिकार रहेगा। श्रीमती वेदवती जी ने जितनी नजूल भूमि के विक्रय का करार किया है उतनी नजूल भूमि उनके हिस्से में समायोजन की जावेगी और हिस्सा को बराबर किया जावेगा।
- धमतरी तहसील की भूमि श्रीमती वेदवती ही को दिया गया।
- दोनो पक्षकार अपने अपने मामले जो न्यायालय में चल रहे हैं, उन्हें वापस ले लेवेंगे।

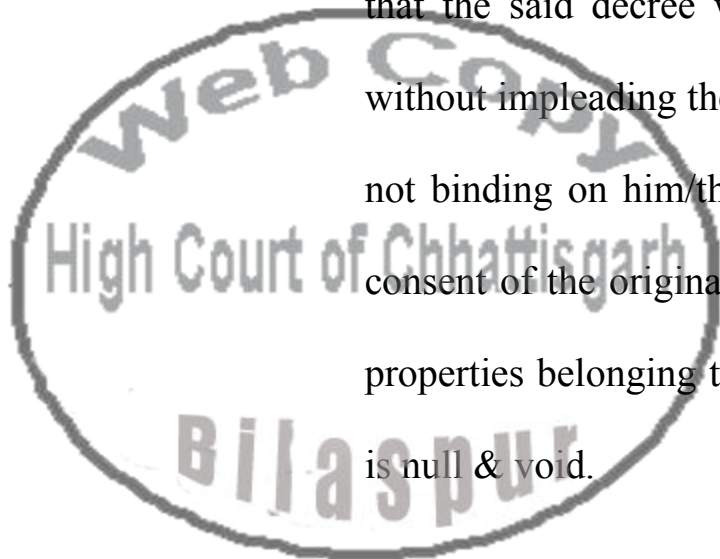
13. According to the original plaintiff, the private properties saved in favour of Ruler & Maharaja of Bastar were not his personal or self acquired property, therefore, devolution of the said property would not be governed under the provisions of Hindu Law or Hindu Succession Act. It is for this reason all the private properties of Ruler & Maharaja of Bastar State were devolved and succeeded by the subsequent Rulers namely; Vijay Chandra Bhanjdeo and Bharat Chandra Bhanjdeo (original plaintiff) w.e.f. 12-4-1970. Thus, after derecognition of Maharaja & Rulers in the entire country w.e.f. 3-5-1972 the last Ruler namely Bharat Chandra Bhanjdeo succeeded the entire suit property and it devolved



on him as his absolute personal properties. It is also pleaded in para 13 (b) of the plaint that late Maharaja Vijay Chandra Bhanjdeo was holding Vijay Bhawan situated at sheet No.81, plot No.2/1 area 117653 sq.ft. with structures as his personal property in his private capacity which was distinct from private properties held by him by virtue of his being Ruler.

14. The original plaintiff challenged the compromise decree dated 17-2-1978 passed in civil suit No.2-A of 1978 on the ground that the said decree was obtained by playing fraud as also without impleading the original plaintiff herein, therefore, it is not binding on him/them. The decree was obtained without consent of the original plaintiff herein while it dealt with the properties belonging to the Bastar State, therefore, the decree is null & void.

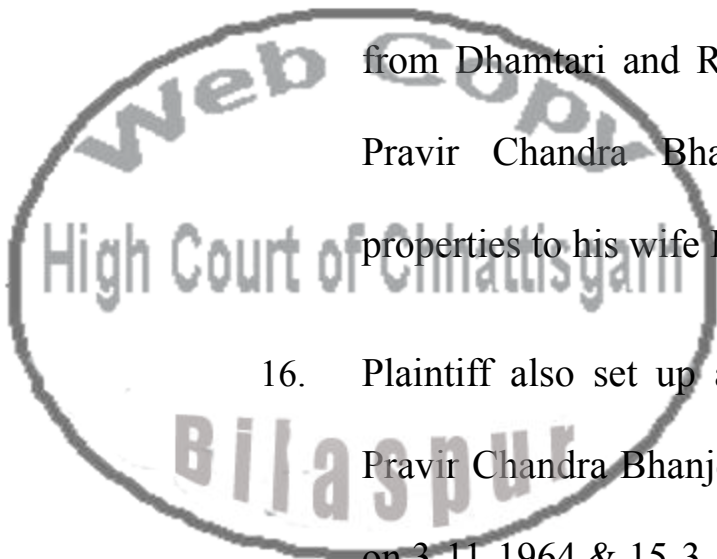
15. It was specifically pleaded that the judgment obtained by fraud is null & void *ab initio*. It was also pleaded that the existence of WILL dated 27-2-1964 was never informed or brought to the notice of the plaintiff albeit it dealt with properties possessed by the next Rulers Vijay Chandra Bhanjdeo & Bharat Chandra Bhanjdeo (original plaintiff) and similarly despite pendency of several litigations before the different forums during the life time and after the demise of





Vijay Chandra Bhanjdeo the WILL purportedly executed in 1964 was never disclosed or produced before any Court or to the other members of the Royal family of Bastar. It was also not known as to in whose custody the WILL was lying and how and when the present defendants or the parties to the civil suit No.2-A of 1978 came in possession of the same. The attesting witnesses of the WILL belong to Dhamtari & Raipur and no reason has been shown as to why Late Pravir Chandra Bhanjdeo was constrained to take attesting witnesses from Dhamtari and Raipur. It was further pleaded that Late Pravir Chandra Bhanjdeo later on bequeathed all his properties to his wife Late Subhdra Devi.

16. Plaintiff also set up a case of execution of WILL by Late Pravir Chandra Bhanjdeo in favour of his wife Subhdra Devi on 3-11-1964 & 15-3-1966. Pravir Chandra Bhanjdeo died on or about 26-3-1966 and after his death Subhdra Devi became full owner of all the moveable and immoveable properties of Late Pravir Chandra Bhanjdeo including all the suit properties, inclusive of properties shown in schedule 'A' by virtue of the WILL. It is also pleaded that alternatively Pravir Chandra Bhanjdeo having no issues, after his death the entire suit property was inherited by his widow Subhdra Devi. Plaintiff further pleaded that Subhdra Devi bequeathed all her

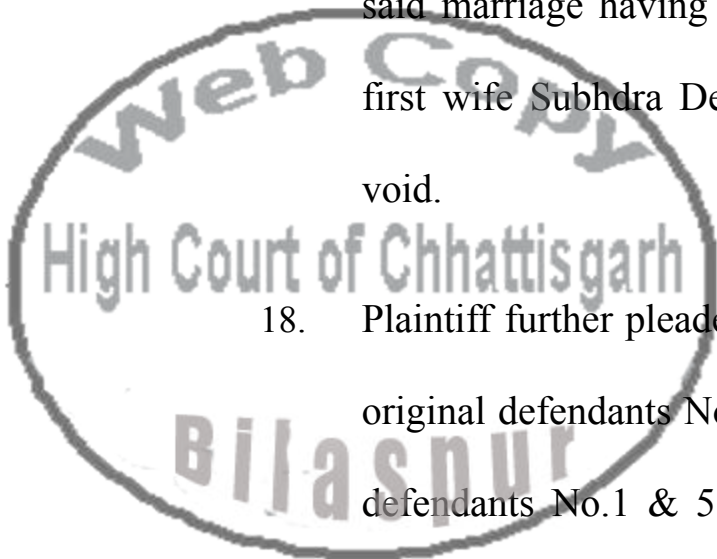




properties to the plaintiff by WILL dated 13-11-1968 registered on 14-11-1968. After death of Subhdra Devi in 1969 the plaintiff inherited all the properties on the strength of the WILL as also by succession.

17. According to the plaintiff, the original defendant No.4 was a concubine of Late Pravir Chandra Bhanjdeo as she was not legally married with him. Alternatively, even if the original defendant No.4 was married to Pravir Chandra Bhanjdeo the said marriage having taken place during the life time of his first wife Subhdra Devi, the second marriage was illegal & void.

18. Plaintiff further pleaded that on 12-10-1984 he learnt that the original defendants No.2 to 4 with the connivance of original defendants No.1 & 5 have succeeded in getting their name recorded in the Government records on the strength of compromise decree dated 17-2-1978 and some of the properties mentioned in schedule 'B' have been sold by the defendants No.2 to 4 without they having any valid title over the properties. The original defendants No.8 to 493 who had purchased the properties from the original defendants No.2 to 4 are not *bona fide* purchasers as they have purchased the properties for a song and throwaway price knowing fully

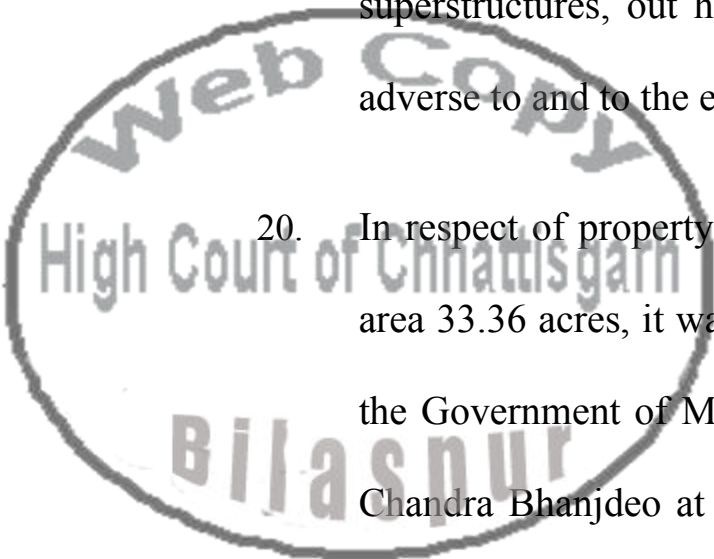




well that the defendants No.2 to 4 had no right, title or interest.

19. It was also pleaded that old and new palace of Maharaja of Bastar described in schedule 'F' are in exclusive possession of the plaintiff. The palace premises also consist of houses, buildings, garages and vacant plots. The defendants No.2 to 4 are in occupation of new palace as licencees of the plaintiff who is in actual physical possession of old palace with all the superstructures, out houses, garages, buildings and premises adverse to and to the exclusion of the defendants No.1 to 4.

20. In respect of property called Mundi Dongari, khasra No.148, area 33.36 acres, it was pleaded that the same was allotted by the Government of Madhya Pradesh to Late Maharaja Pravir Chandra Bhanjdeo at the time of merger agreement between him, Government of Madhya Pradesh and the GOI. The defendants No.1, 3 & 4 have also got recorded their names stealthily without consent, knowledge or notice to the plaintiff. There are movables like rifles, 12 bore guns, pistols, revolvers, swords, etc. described in schedule 'C', which are kept in Jagdalpur Treasury under the custody of the State Government. Ornaments and Jewelers belonging to the Maharaja & Ruler of Bastar described in schedule 'D' are also

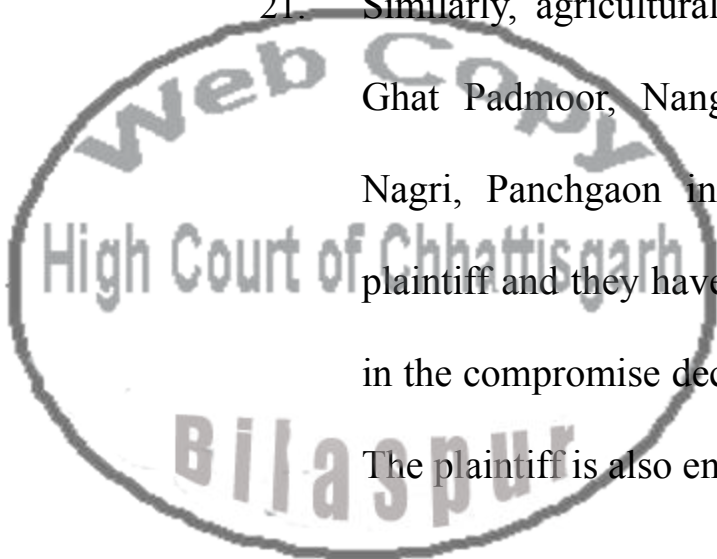




kept in Jagdalpur Treasury in the custody of the State Government. Plaintiff is entitled to receive the moveables described in schedule 'C' & 'D'. The plaintiff had applied for delivery of these articles on 30-10-1986 before the Collector, Bastar. The Government of Madhya Pradesh (now Chhattisgarh) is also ready and prepared to deliver the same to the original owner, but the defendants have raised unnecessary dispute.

21. Similarly, agricultural lands situated at villages Dhainaloor, Ghat Padmoor, Nangoor, Jagdalpur, Sumund and Sihawa Nagri, Panchgaon in Dhamtari Tashil also belong to the plaintiff and they have been illegally and unlawfully included in the compromise decree passed in civil suit No.2-A of 1978. The plaintiff is also entitled to the said lands.

22. The plaintiff further averred that the defendants No.2 to 4 have sold the properties shown in Schedule 'E' to one Trilochan Singh and the defendant No.2 executed the gift deed on 24-3-1982 gifting 1/5th of Vijay Bhawan to defendant No.313 Vidhiya Sagar Tiwari in an unlawful and illegal manner, therefore, the said deeds are void and not binding on the plaintiff. It is also pleaded that property named Rani Gadia is in the exclusive possession of the plaintiff, therefore,

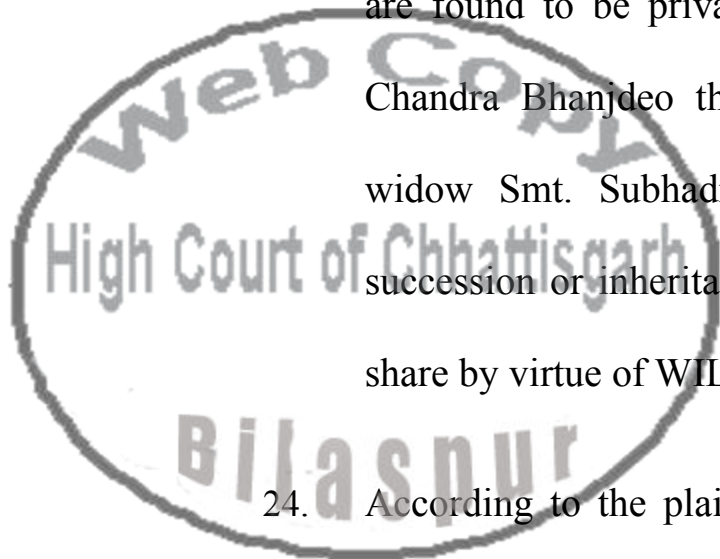




he is entitled to the said property. Similarly, the defendant No.4 has illegally gifted away vacant plot No.1/1 sheet No.98 to the defendant No.3 vide gift deed dated 7-3-1980, which is void and not binding on the plaintiff. Sale deeds executed by the defendants No.2 to 4 for the property mentioned in schedule 'G' to Maharani Dhyan Vidhiya Peeth, defendant No.395, is also void and not binding on the plaintiff.

23. In the alternative, plaintiff also pleaded that if the properties are found to be private properties of Late Maharaja Pravir Chandra Bhanjdeo then the same having devolved on his widow Smt. Subhadra Devi and the defendant No.4 by succession or inheritance then the plaintiff is entitled to half share by virtue of WILL executed by Subhadra Devi.

24. According to the plaintiff he had no knowledge of the sale deeds shown in schedule 'B', 'E' & 'G' by the defendants No.2 to 4, which came to his notice on 12-10-1984 when he became aware of the judgment and decree dated 17-2-1978 in civil suit No.2-A of 1978. The plaintiff also learnt about various alienations by the defendants No.2 to 4 from time to time from January, 1985. The plaintiff, therefore, prayed for declaration of title and ownership of the properties shown in schedule 'A' (including schedule 'B'), 'C', 'D', 'E' & 'G' and in

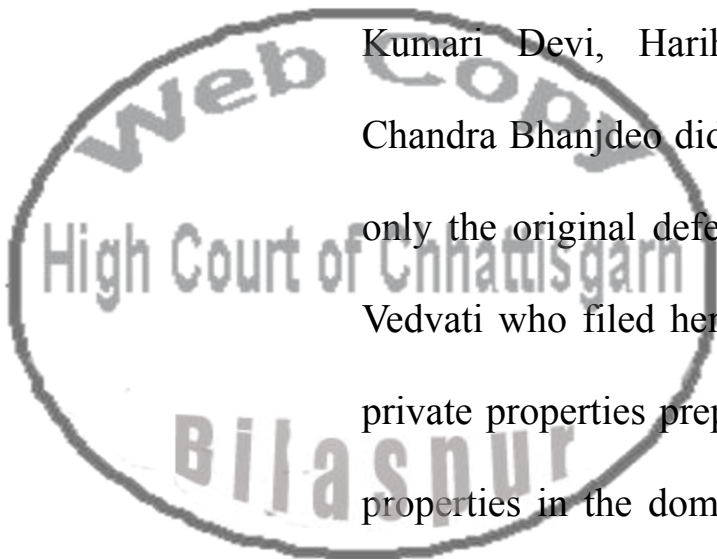




the alternative declaration and possession as prayed in paras 34 & 35 of the plaint and for setting aside the sales shown in schedule 'B', 'E' & 'G'. Specific prayer has been made by the plaintiff for setting aside the judgment and decree dated 17-2-1978 in civil suit No.2-A of 1978 of the Court of District Judge, Bastar at Jagdalpur.

Defendants' case :

25. The original defendants No.1 to 3 namely; Smt. Hitendra Kumari Devi, Harihar Chandra Bhanjdeo and Devesh Chandra Bhanjdeo did not file any written statement. It was only the original defendant No.4 Smt. Subhraj Kumari alias Vedvati who filed her written statement admitting the list of private properties prepared at the time of vesting of the state properties in the dominion of India. She also admitted that Maharaja Pravir Chandra Bhanjdeo was entitled to full ownership and exclusive enjoyment of the private properties, which, according to her, had the characteristic of separate or self acquired property under the Hindu Law. Defendant No.4 denied that the private properties were in the nature of properties held by a ruler and would devolve on the next Ruler on the death of the recognised Ruler. According to her, Maharaja Pravir Chandra Bhanjdeo was entitled to lawful



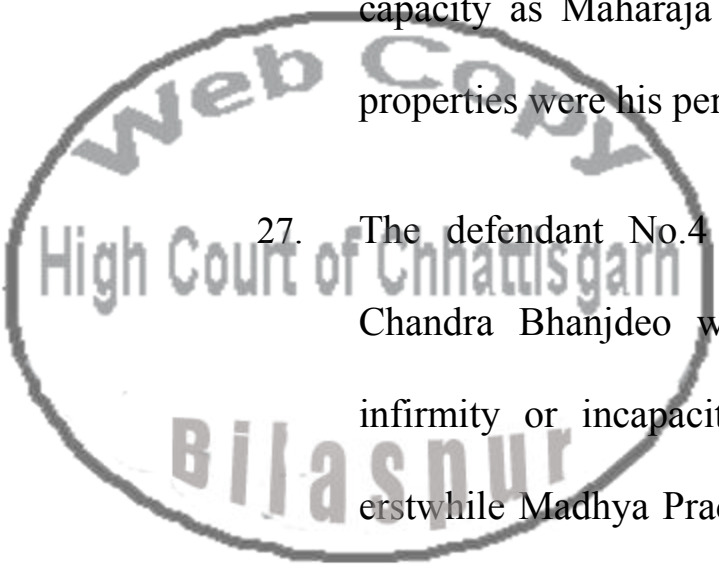


transfer of the private properties and on his death the said properties were heritable by his legal heirs.

26. It was specifically pleaded by the defendant No.4 that in lieu of vesting with the dominion of India the Central Government had sanctioned a privy purse. The privy purse was to be granted to the succeeding Ruler on the death of his former recognised Ruler. She denied that Maharaja Pravir Chandra Bhanjdeo took possession of his private properties in his capacity as Maharaja with further pleading that the private properties were his personal and absolute properties.

27. The defendant No.4 further denied that Maharaja Pravir Chandra Bhanjdeo was incapable or that he had mental infirmity or incapacity. According to this defendant the erstwhile Madhya Pradesh Government's decision to take the properties of Maharaja Pravir Chandra Bhanjdeo for management by Court of Ward was politically motivated. However, the private properties were later released from the Superintendence of the Court of Ward.

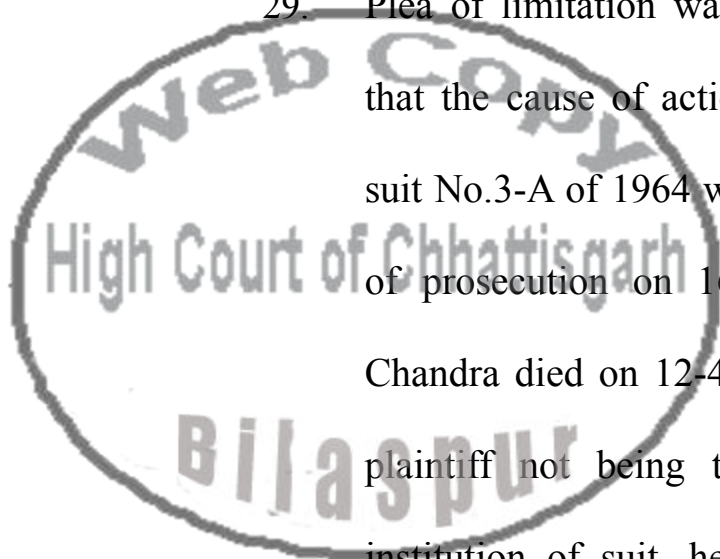
28. Defendant No.4 admitted that Maharaja Pravir Chandra Bhanjdeo's recognition as a Ruler was withdrawn and Vijay Chandra was recognised as a Ruler, however, she denied that on being recognised as Ruler Vijay Chandra got any right or





interest over the private properties of Maharaja Pravir Chandra Bhanjdeo. Vijay Chandra was entitled to privy purse of Rs.1,50,000/- per year. It is further denied by this defendant No.4 that consequent to recognition of Vijay Chandra as a Ruler all properties saved from the merger agreement belonged to him. She would specifically plead that properties vested in Maharaja Pravir Chandra Bhanjdeo could not be divested for vesting in Vijay Chandra.

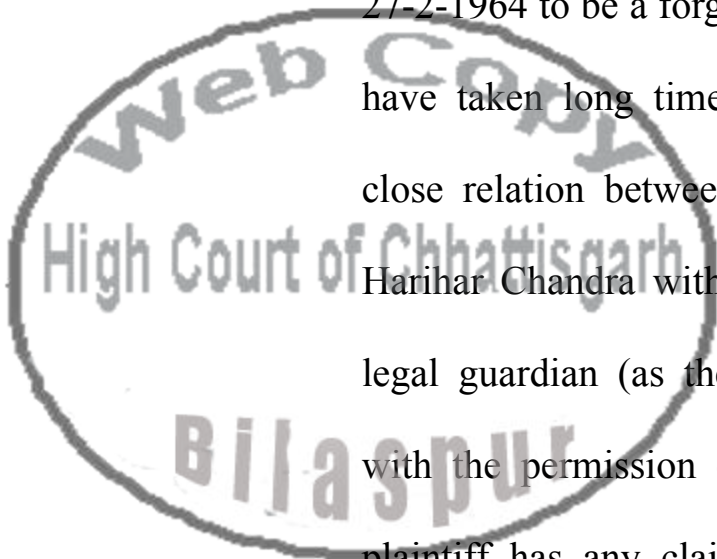
29. Plea of limitation was raised by the defendant No.4 saying that the cause of action arose on 12-2-1961 for which civil suit No.3-A of 1964 was filed, which was dismissed for want of prosecution on 16-7-1975, however, before that Vijay Chandra died on 12-4-1970. It was further pleaded that the plaintiff not being the recognised Ruler at the time of institution of suit, he would destroy his own right to sue based on the principle that the property belongs to and is succeeded by the next Ruler. Forgery of WILL was also denied. She would specifically state that Maharaja Pravir Chandra Bhanjdeo died issueless. The Defendant No.4 being his widow was the only nearest legal heir to inherit the estate of Maharaja Pravir Chandra Bhanjdeo, therefore, she applied for mutation. However, the defendants No.1, 2 & 3 published a notice in the daily newspaper on 2-1-1978 that deceased





Maharaja Pravir Chandra Bhanjdeo has executed a WILL dated 27-2-1964 in their favour bequeathing all his personal properties. On 7-1-1978 Smt. Hitendra Kumari submitted a copy of the said WILL before the Nazul Officer and objected to mutation application filed by the defendant No.4.

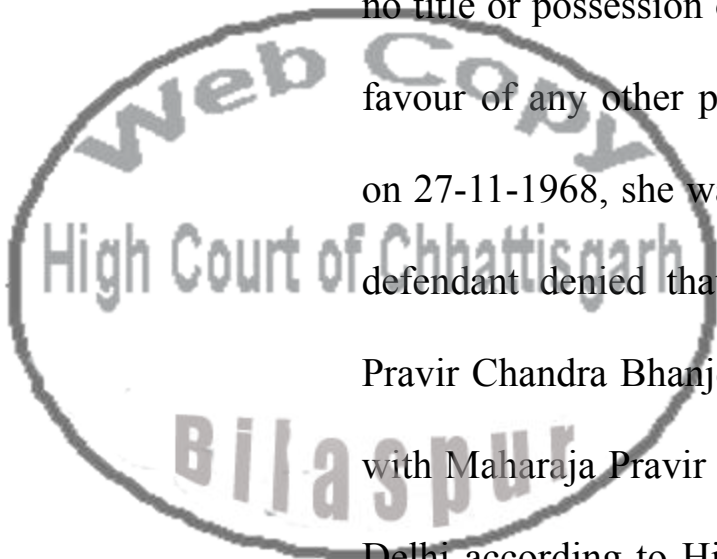
30. The defendant No.4 further pleaded that the WILL relied by the defendants No.1, 2 & 3 being forged she preferred civil suit No.2-A of 1978 to declare the above said WILL dated 27-2-1964 to be a forged document. Since the civil suit would have taken long time for adjudication and considering the close relation between the parties, the defendant No.4 and Harihar Chandra with Devesh Chandra represented by their legal guardian (as they were minor) compromised the suit with the permission of the Court. It was denied that the plaintiff has any claim, right or entitlement in the private property of Maharaja Pravir Chandra Bhanjdeo. The defendant No.4 would aver that compromise decree petition was absolutely honest and lawful not being collusive neither with an intention to deprive the plaintiff of his right over the properties. She also denied that Maharaja Pravir Chandra Bhanjdeo executed any WILL in favour of Subhadra Devi. She even denied that Subhadra Devi was the wife of Maharaja Pravir Chandra Bhanjdeo. Execution of WILL dated





3-11-1964 and 15-3-1966 by Maharaja Pravir Chandra Bhanjdeo in favour of Subhadra Devi was denied being forged document. Consequently, Subhadra Devi became the owner of the properties of Maharaja Pravir Chandra Bhanjdeo was also illegal.

31. Defendant No.4 also denied execution and existence of WILL dated 13-11-1968 allegedly executed by Subhadra Devi with alternative submission that otherwise also Subhadra Devi had no title or possession of any of the suit property to transfer in favour of any other person and further that before her death on 27-11-1968, she was seriously ill for about a month. This defendant denied that she was the concubine of Maharaja Pravir Chandra Bhanjdeo. According to her she was married with Maharaja Pravir Chandra Bhanjdeo on 4-7-1961 at New Delhi according to Hindu religious rites. On the request of Maharaja Pravir Chandra Bhanjdeo the Court of Ward was paying this defendant a monthly allowance of Rs.1,000/- and after death of Maharaja Pravir Chandra Bhanjdeo the said allowance was continued by the Union Government. She denied that there exists judicial separation between Maharaja Pravir Chandra Bhanjdeo and the defendant No.4 with pleading that it was a decree for maintenance under the Hindu Adoptions and Maintenance Act and not for judicial





separation and hence marital status of the defendant No.4 with Maharaja Pravir Chandra Bhanjdeo cannot be questioned.

32. The defendant No.4 denied that the defendants No.8 to 493 are not *bona fide* purchasers for value. These defendants have purchased the property after verifying and satisfying with the revenue records. It was specifically contended that the palace was the personal property of Maharaja Pravir Chandra Bhanjdeo and had gifted the bungalow to Vijay Chandra for his residence, therefore, even after his recognition as Ruler Vijay Chandra Bhanjdeo continued to reside in the same bungalow and not in the Palace. The list of private properties of Maharaja Pravir Chandra Bhanjdeo includes the palace and also the neighbouring building Rani Gadia. When Maharaja Pravir Chandra Bhanjdeo was killed in police firing in 1966 Justice Pande Enquiry Commission locked and sealed the palace which was later on opened by the Collector and allowed the entry of Vijay Chandra. Thus, the defendant admits the possession of Vijay Chandra Bhanjdeo in the palace and Rani Gadia.

33. The defendant No.4 further admitted that Mundi Dongri area of 33.36 acres was allotted to Maharaja Pravir Chandra Bhanjdeo as per the merger agreement, however, according to



this defendant, after death of Maharaja Pravir Chandra Bhanjdeo her name was mutated over the revenue record concerning Mundi Dongri. Similarly for the properties described in schedule 'C' and the jewelery, plaintiff's title was denied. The defendant No.4 along with the defendants No.2 & 3 have made joint claim before the Government in respect of jewelery and arms on which the Government has passed an order in their favour and the plaintiff signed the indemnity bond before the Collector, Bastar, agreeing with the said order, therefore, this defendant claimed joint ownership of the arms and jewelery along with the defendants No.2 & 3.

34. The claim of the plaintiff about the agricultural land, as pleaded in para 27 of the plaint, has been denied by the defendant No.4. She also denied execution of sale deeds by the defendants No.1 to 4 at different point of time. She specially admits in para 31 that she was in possession of Rani Gadia. Sale deed executed in favour of Maharshi Dhyan Vidya Peeth was also pleaded to be a *bona fide* sale. Claim for setting aside the compromise decree has been denied saying that the said decree is valid and lawful.

35. She would also plead that a recognised Ruler has no right to claim separate property of the predecessor Ruler. Maharaja



Pravir Chandra Bhanjdeo was in exclusive possession and enjoyment of properties allotted to him by the Government in 1948. The plaintiff did not continue the suit preferred by Maharaja Pravir Chandra Bhanjdeo after his death, therefore, the plaintiff has no *locus standi* to claim the properties of Maharaja Pravir Chandra Bhanjdeo. Defendant No.4 further stated that in so far as the lands involved in the sale deeds are concerned the suit for mere declaration is not maintainable and further that the plaintiff is required to pay ad valorem Court fees for the lands for which possession is sought. By way of special pleadings the defendant No.4 pleaded that the suit concerning the compromise decree dated 17-2-1978 rendered in civil suit No.2-A/1978 is barred by limitation as also the claim for possession of the properties described in schedule 'A' (including schedule 'B'), 'E' & 'G' is barred by limitation.

36. Other defendants filed the written statements in groups or individually. The sum and substance of the defence raised by the aforesaid defendants, in addition to the defence raised by main contesting defendant No.4, is that they are *bona fide* purchasers for value paid and the purchases made by them were after due enquiry from the Government records, which contained the name of the defendant No.1 or the defendants

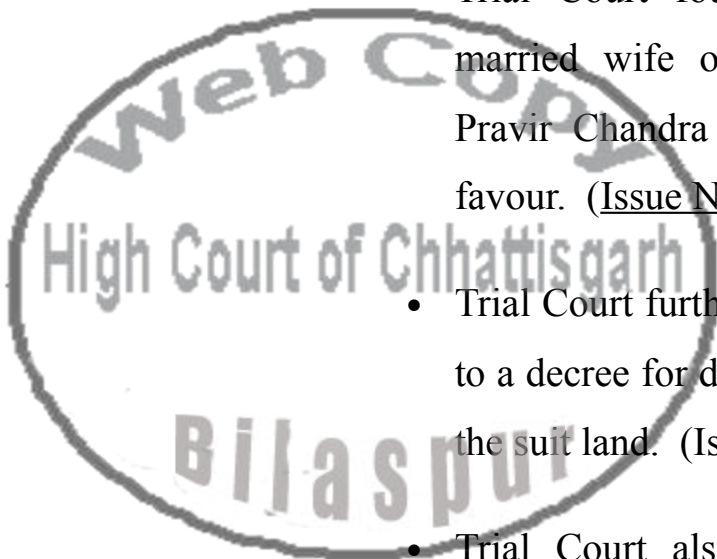


No.2 to 4 as owner. Thus, according to them, even if the defendants No.2 to 4 be ostensible owner they could pass valid title by sale to the purchaser defendants.

Issues :

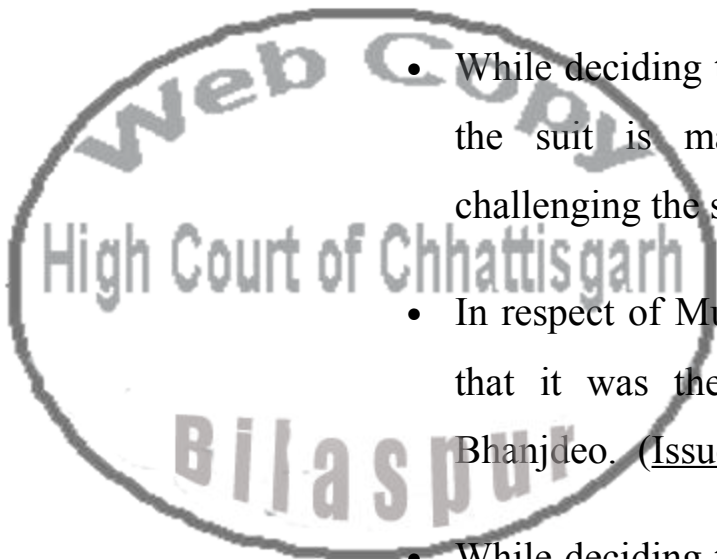
37. On the basis of pleadings of the parties the trial Court framed as many as 42 issues for adjudication and after trial recorded the following findings on material issues :

- Trial Court found that Subhadra Devi was legally married wife of Pravir Chandra Bhanjdeo and that Pravir Chandra Bhanjdeo has executed WILL in her favour. (Issue Nos.2, 3 & 6)
- Trial Court further found that the plaintiff is not entitled to a decree for declaration of his title or possession over the suit land. (Issue Nos.1, 5 & 10)
- Trial Court also found that the plaintiff cannot be declared owner of half share of the properties of Pravir Chandra Bhanjdeo on the basis of WILL executed by Subhadra Devi in his favour. (Issue No.4)
- Trial Court found that there is no proof that there was judicial separation between Pravir Chandra Bhanjdeo and the defendant No.4 Vedwati and further that the plaintiff is not entitled to either 1/4th or 1/5th share nor the sale deeds executed in favour of purchaser defendants can be declared illegal. (Issue Nos.7 to 9)





- In issue Nos.12 & 13, trial Court held that the suit is neither barred by limitation nor it suffers from misjoinder of causes of action, however, while deciding the issue No.14 it held that suit suffers from *res judicata*, but contrary to this while deciding the issue No.16, the trial Court held that the suit is not barred under Order 9 Rule 4 of the Code of Civil Procedure, 1908 (for short 'the CPC') or Order 2 Rule 2 of the CPC.
- While deciding issue Nos.17 & 18 the trial Court held that the suit is valued properly and proper & adequate Court fees has been paid.
- While deciding the issue No.19 the trial Court held that the suit is maintainable against many defendants challenging the sales in their favour.
- In respect of Mundi Dongari land the trial Court found that it was the private property of Pravir Chandra Bhanjdeo. (Issue No.20)
- While deciding the issue No.21 the trial Court held that the land of Mundi Dongari was not succeeded by defendant No.4 after death of Pravir Chandra Bhanjdeo.
- In respect of plaint schedule 'C' while deciding the issue Nos.23A & 23B the trial Court held that the suit lands were not the personal property of Pravir Chandra Bhanjdeo and the plaintiff did not succeed the same. Similar is the finding in respect of jewelery (issue No.24)





- Title of the defendants No.2 to 4 over the jewelery was decided against them in issue No.25 and the defendants plea that plaintiff had consented to the Government decision of handing over the jewelery to the defendants No.2 to 4 has been decided against the said defendants in issue No.26.

38. Consequent to the above findings the trial Court has dismissed the suit.

39. The Plaintiffs have preferred the present appeal challenging the judgment and decree passed by the trial Court dismissing their suit, however, no cross appeal or cross objection has been filed by any of the defendants to challenge the findings recorded by the trial Court adverse to their interest.

Submission of plaintiffs/Appellants :

40. Shri Rajeev Shrivastava, learned counsel appearing for the appellants/plaintiffs, would submit that :

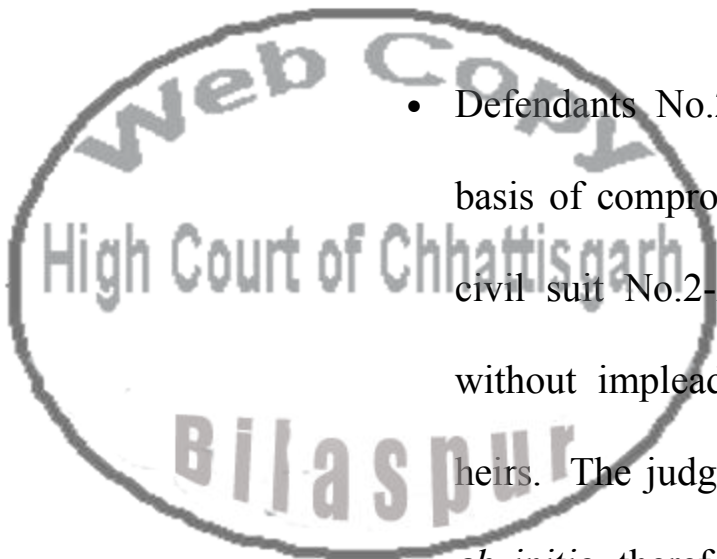
- The original plaintiff was the successor of Ruler of Bastar State under the ***Gaddi*** custom. After death of original plaintiff Bharat Chandra Bhanjdeo, plaintiff No.3 Kamal Chand Bhanjdeo has succeeded as Ruler of Bastar State under the said custom.



- Referring to Ex.P/68, an order passed by the concerned Ministry of the Government of India, learned counsel would submit that there is distinction between private properties of the Ruler and his personal or self acquired properties. The private properties attached to Ruler would, therefore, pass on to their successor intact and, as such, plaintiffs are entitled to be declared owner of all the private properties of the Ruler of Bastar State.

- Defendants No.2 to 4 had sold the properties on the basis of compromise decree dated 17-3-1978 passed in civil suit No.2-A/1978 which was obtained by fraud without impleading the original plaintiff or his legal heirs. The judgment obtained by playing fraud is void *ab initio*, therefore, the purchaser defendants in whose favour sale deeds have been executed by the defendants No.2 to 4 would not derive any title as the sale deeds would also be tainted with fraud.

- The trial Court having held while deciding issue No.21 that the defendant No.4 has no title over the suit properties, it should have instantly set aside the sale deeds executed by the defendant No.4. The impugned





judgment and decree, thus, suffer from self-contradiction.

- The earlier suit preferred by Vijay Chandra Bhanjdeo having been dismissed for want of prosecution it can never operate as *res judicata*.

- Referring to the decision of the High Court of Allahabad in *Miss Talat Fatima Hasan v His Highness Nawab Syed Murtaza Ali Khan Sahib Bahadur and Others*¹,

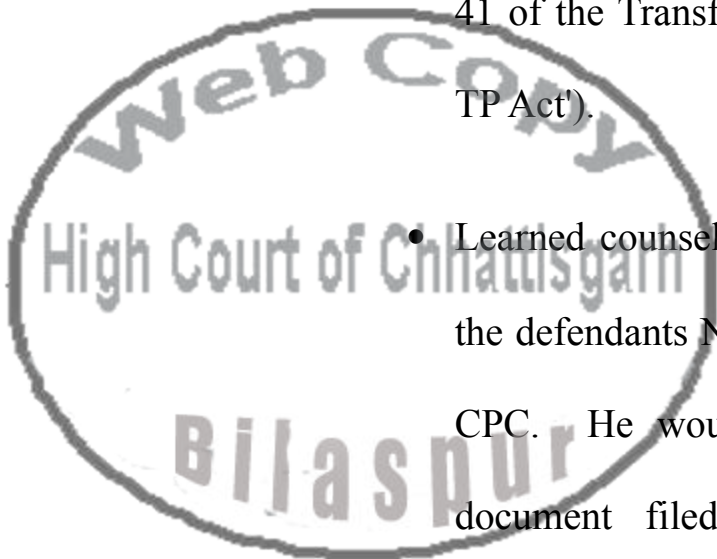
learned counsel would submit that the rule of succession in respect of the *Gaddi* of Bastar State along with properties would pass on according to the rule of male lineal primogeniture, according to which the eldest male heir of the late ruler inherited both the *Gaddi* and the properties, and the properties had an impartible character.

- According to learned counsel in view of applicability of *Gaddi* system the respondents' argument that the properties would devolve as per the provisions of the Hindu Succession Act, 1956 (for short 'the Act, 1956') is unsustainable.

1 AIR 1997 All 122



- The plaintiff having valued the suit properly; paid adequate Court fees; and having also prayed for delivery of possession of the properties, which are not in his possession, the suit should have been decreed in its entirety.
- The purchaser defendants having not laid any foundation to substantiate the plea of *bona fide* purchaser they are not entitled for the benefit of Section 41 of the Transfer of Property Act, 1882 (for short 'the TP Act').
- Learned counsel would oppose the application filed by the defendants No.1 to 4 under Order 41 Rule 27 of the CPC. He would submit that in one of the public document filed along with this application it is mentioned that Pravir Chandra Bhanjdeo was suffering from mental defect, therefore, the alleged WILL executed by Pravir Chandra Bhanjdeo in favour of the defendants No.2 & 3 becomes suspicious.
- Except the purchaser Brajesh Bajpai (Defendant No.10) all other purchasers were proceeded *ex parte* and have not led any evidence. In the absence of they having led evidence, there is no foundation by these defendants to



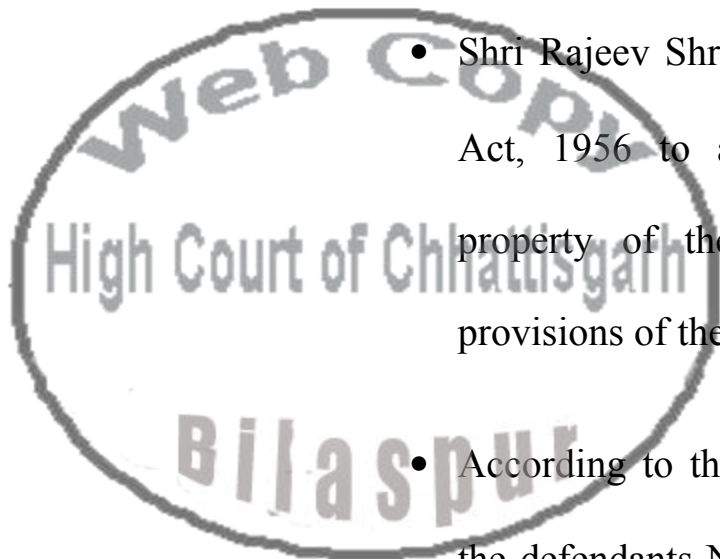


challenge the maintainability of the suit on the ground of limitation, which is always a mixed question of law and fact.

- Learned counsel would refer to the documents filed under Order 41 Rule 27 of the CPC to mention that names of the parties are jointly recorded, therefore, the suit cannot be thrown out on the ground of limitation.

- Shri Rajeev Shrivastava would refer to Section 5 of the Act, 1956 to argue that succession of the private property of the Ruler is not governed under the provisions of the Act, 1956.

- According to the learned counsel at one point of time the defendants No.1 to 4 would claim title on the basis of WILL but at some other places they would refer to the Act, 1956 and similarly earlier they referred to the properties of Pravir Chandra Bhanjdeo as private property, but later they have argued that it was the personal property. Thus, there is deviation from the stand taken in the written statement and they are estopped from arguing that the suit property is the personal property of Pravir Chandra Bhanjdeo.





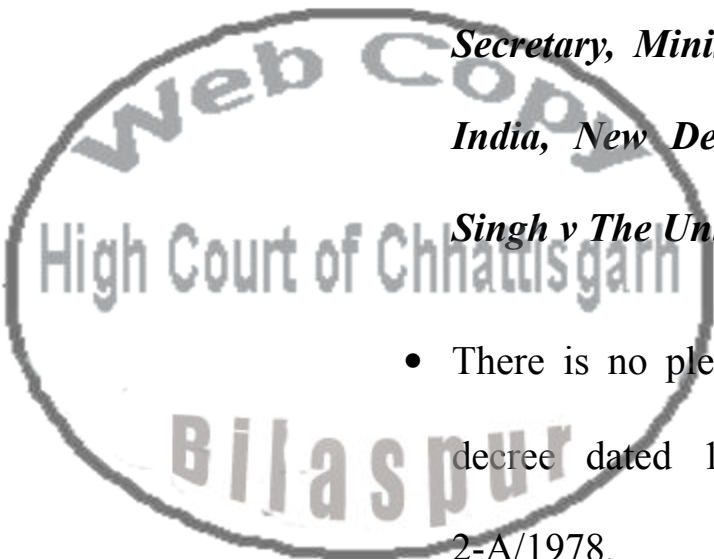
Submission of defendants :

41. Shri Jitendra Singh, learned counsel appearing for the respondents No.1 to 4, *Per contra*, would submit that :

- Rule of male lineal primogeniture is not applicable on the Rulers of Princely states after abolition of Privy Purse. Learned counsel would place reliance on *Ahmadunnisa Begum v Union of India represented by Secretary, Ministry of Home Affairs, Government of India, New Delhi*² and *Kunwar Shri Vir Rajendra Singh v The Union of India and Others*³.
- There is no pleading of fraud vis-a-vis judgment and decree dated 17-2-1978 passed in Civil Suit No. 2-A/1978.
- Plaintiffs have not challenged the WILL dated 27-2-1964 executed by Pravir Chandra Bhanjdeo in favour of the defendants No.2 & 3, therefore, the said properties are owned by the said defendants.
- To buttress the aforesaid contention, learned counsel would place reliance upon the decision rendered by the

² AIR 1969 AP 423

³ AIR 1970 SC 1946





Supreme Court in *Union of India v Ibrahim Uddin and Another*⁴.

42. Shri H.B. Agrawal, learned senior counsel appearing for the respondents No.9 to 11 & 25, would submit that :

- Jagdalpur being a scheduled area permission under Section 165 of the MP/Chhattisgarh Land Revenue Code, 1959 (for short 'the Code, 1959') was required to be sought, however, there is no material as to whether the plaintiff has sought such permission.

- Separate suit should have been filed for each of the sale deed and such suit has to be filed within three years from the date of execution of sale deed.

43. Shri Arvind Shrivastava, Shri Ashish Surana, Shri Devershi Thakur & Shri Pravin Kumar Tulsyan, learned counsel appearing for some of the respondents/defendants, would adopt the arguments raised by Shri Jitendra Singh, learned counsel for the respondents No.1 to 4. They would submit that the suit is barred by limitation. They would refer to the provisions of Section 41 of the TP Act.

4 (2012) 8 SCC 148

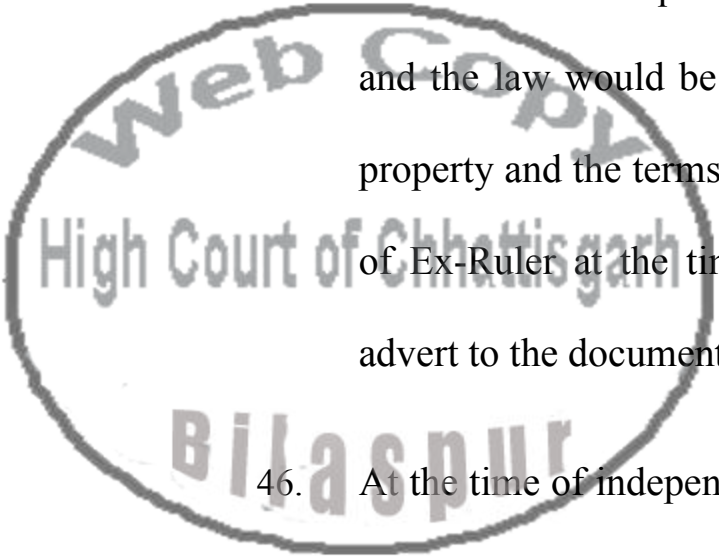


Discussion :

44. Before proceeding to discuss the merits of the appeal, we shall first take up the respondents' application under Order 41 Rule 27 of the CPC for consideration. The documents filed along with the application are certified copies of public documents. They are related to the subject matter of the dispute, therefore, the application is allowed

45. The most crucial question around which the dispute revolves and the law would be required to be applied is the nature of property and the terms under which it was settled in the hands of Ex-Ruler at the time of merger, therefore, we shall first advert to the documentary evidence on this issue.

46. At the time of independence by virtue of provisions contained in the Indian Independence Act, 1947 the independent Dominion known as "INDIA" was formed and Ruler of an existing Indian State within the Dominion of India was required to sign the Instrument of Accession. The Maharaja of Bastar Shri Pravir Chandra Bhanjdeo Kakatiya, Ruler of Bastar State signed the Instrument of Accession vide Ex.P/80. This Instrument stipulated that any reference in this Instrument to the Maharaja or to the Ruler of the State is to be





considered as including a reference to his heirs and successors.

47. At the time of merger Rulers of each of the State executed merger agreement as also covenants. The agreement between Maharaja of Bastar State and the Governor General of India was executed on 15-12-1947 vide Ex.P/88C. It contains five (5) Articles, which are reproduced hereunder :

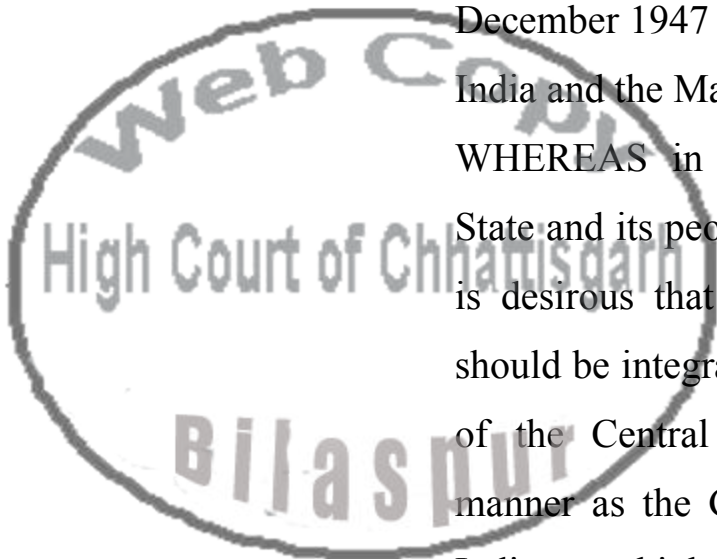
AGREEMENT MADE THIS fifteenth day of December 1947 between the Governor General of India and the Maharaja of Bastar State.

WHEREAS in the immediate interests of the State and its people, the Maharaja of Bastar State is desirous that the administration of the State should be integrated as early as possible with that of the Central Provinces and Berar in such manner as the Government of the Dominion of India may think fit;

It is hereby agreed as follows :-

ARTICLE 1

The Maharaja of Bastar State hereby cedes to the Dominion Government full and exclusive authority, jurisdiction and powers for and in relation to the governance of the State and agrees to transfer the administration of the State to the Dominion Government on the 1st day of January 1948 (hereinafter referred to as “the said day”).





As from the said day the Dominion Government will be competent to exercise the said powers, authority and jurisdiction in such manner and through such agency as it may think fit.

ARTICLE 2

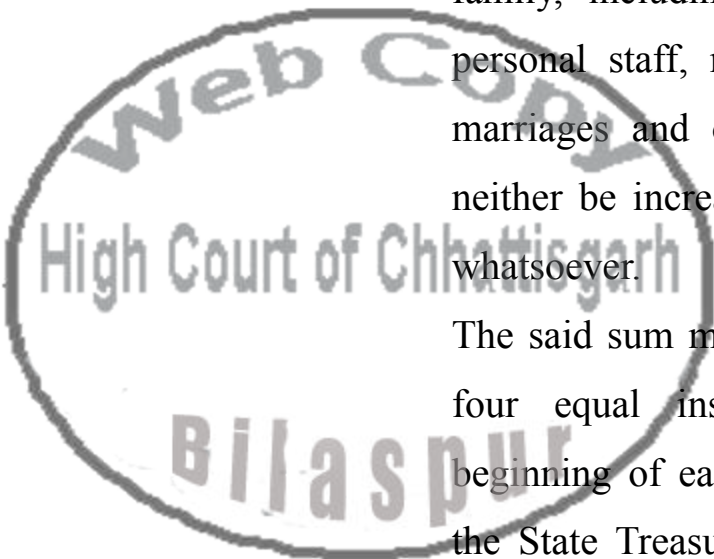
The Maharaja shall with effect from the said day be entitled to receive from the revenues of the State annually for his privy purse the sum of Two Hundred and Ten/- rupees */Thousand One Hundred* free of taxes. This amount is intended to cover all the expenses of the Ruler and his family, including expenses on account of his personal staff, maintenance of his residences, marriages and other ceremonies, etc. and will neither be increased nor reduced for any reason whatsoever.

The said sum may be drawn by the Maharaja in four equal installments in advance at the beginning of each quarter by presenting bills at the State Treasury or at such other Treasury as may be specified by the Dominion Government.

ARTICLE 3

The Maharaja shall be entitled to the full ownership, use and enjoyment of all private properties (as distinct from State properties) belonging to him on the date of this agreement.

The Maharaja will furnish to the Dominion Government before the 1st day of January 1948 an inventory of all the immovable property,





securities and cash balance held by him as such private property.

If any dispute arises as to whether any item of property is the private property of the Maharaja or State property, it shall be referred to such officer with judicial experience as the Dominion Government may nominate and the decision of that officer shall be final and binding on both parties.

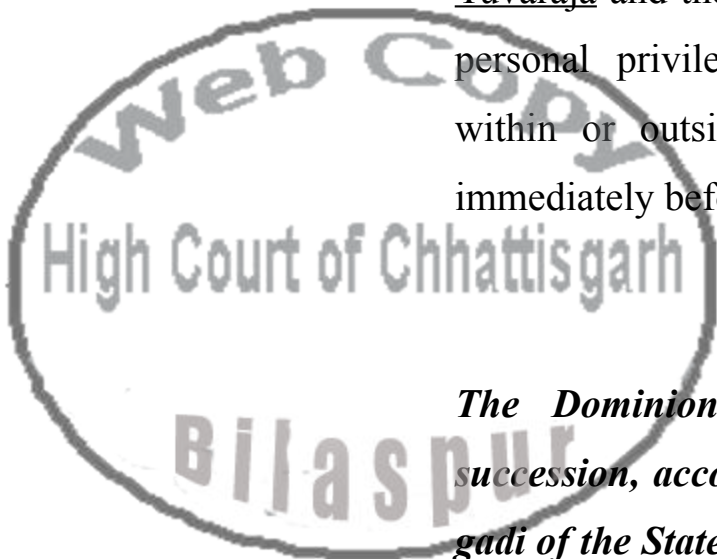
ARTICLE 4

The Maharaja, the Maharani, the Rajmata, the Yuvaraja and the Yuvarani shall be entitled to all personal privileges enjoyed by them whether within or outside the territories of the State, immediately before the 15th day of August 1947.

ARTICLE 5

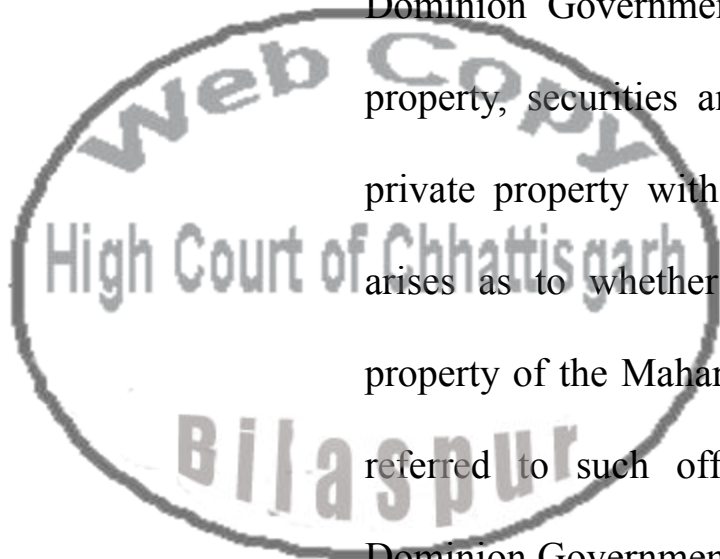
The Dominion Government guarantees the succession, according to law and custom, to the gadi of the State and to the Maharaja's personal rights, privileges, dignities and titles.

In confirmation whereof Mr. Vapal Pangunni Menon, Secretary to the Government of India in the Ministry of States, has appended his signature on behalf and with the authority of the Governor-General of India and Pravir Chandra Bhanj Deo Kaktiya Maharaja of Bastar State has appended his signature on behalf of himself, his heirs and successors.





48. Article 1 above contains recital of ceding of the Bastar State with the Dominion Government w.e.f. 1-1-1948. Article 2 speaks about the Maharaja's entitlement to privy purse.
49. Article 3, relevant for the purpose of suit, provides that the Maharaja shall be entitled to the full ownership, use and enjoyment of all private properties (as distinct from State properties) belonging to him on the date of agreement. Under this Article, the Maharaja was required to furnish to the Dominion Government an inventory of all the immovable property, securities and cash balance held by him as such private property with further stipulation that if any dispute arises as to whether any item of property is the private property of the Maharaja or State property, the same shall be referred to such officer with judicial experience as the Dominion Government may nominate and the decision of that officer shall be final and binding on both parties. Article 4 is about entitlement of the Maharaja, the Maharani, the Rajmata, the Yuvraja and Yuvrani to all personal privileges enjoyed by them whether within or outside the territories of the State immediately before 15-8-1947.
50. Article 5 contains recital about the recognition of *gadi* of the State. It says that the Dominion Government guarantees the

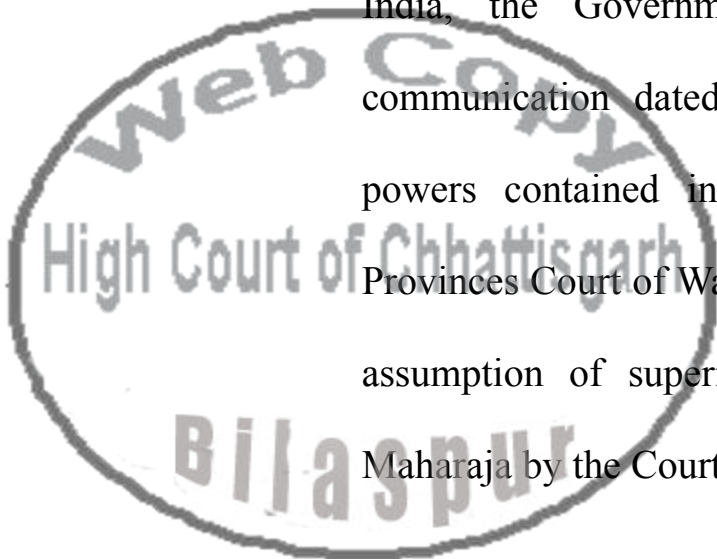




succession, according to law and custom, to the *gadi* of the State and to the Maharaja's personal rights, privileges, dignities and titles.

51. At the time of merger Maharaja Pravir Chandra Bhanjdeo was the Ruler of Bastar State. By notification dated 20-5-1953 Maharaja Pravir Chandra Bhanjdeo was declared to be incapable of managing his estate *owing to mental infirmity*. Consequent to the said notification of the Government of India, the Government of Madhya Pradesh issued a communication dated 20-6-1953 (*Ex.P/77*) in exercise of powers contained in Sections 4 and 41 of the Central Provinces Court of Wards Act, 1899 according sanction to the assumption of superintendence of the estate of the said Maharaja by the Court of Wards, Bastar.

52. Later, by notification dated 12-2-1961 (*Ex.P/86*), published in the Gazette of India, Maharaja Pravir Chandra Bhanjdeo, was declared ceased to be recognised as the Ruler of Bastar State and in his place his brother, Yurraj Vijay Chandra Bhanjdeo Kakatiya, was recognised as the Ruler of Bastar. Thereafter, by notification dated 11-7-1970 issued by the President in exercise of powers under Article 366 of the Constitution of India Maharaja Bharat Chandra Bhanjdeo Kakatiya, the





original plaintiff, was recognised as Ruler of Bastar w.e.f. 12-4-1970 in succession to Late Maharaja Vijay Chandra Bhanjdeo Kakatiya, who died on 12-4-1970. This notification was published in the Gazette of India on 25-7-1970 (*Ex.P/87C*).

53. Soon after the accession, dispute arose amongst the members of erstwhile family and their heirs or successors, as the case may be, as to the ownership of private properties, personal properties or self acquired properties, therefore, the Government of India, Ministry of State wrote to the State of Madhya Pradesh clarifying the legal position stating that the Rulers are not entitled to dispose of their private properties for their own advantage and that the private properties vested in them in their capacity as Rulers should pass to their successors intact. The above ruling of the GOI, MoS was communicated by the State of Madhya Pradesh to all Rulers of States merged in MP vide its communication issued some time in the month of October, 1954 (*Ex.P/68*). The contents of the letter being relevant and important it is reproduced hereunder :

In connection with the question regarding the disposal of their private properties by the Rulers, the Government of India, Ministry of State have ruled that the properties, which have been declared



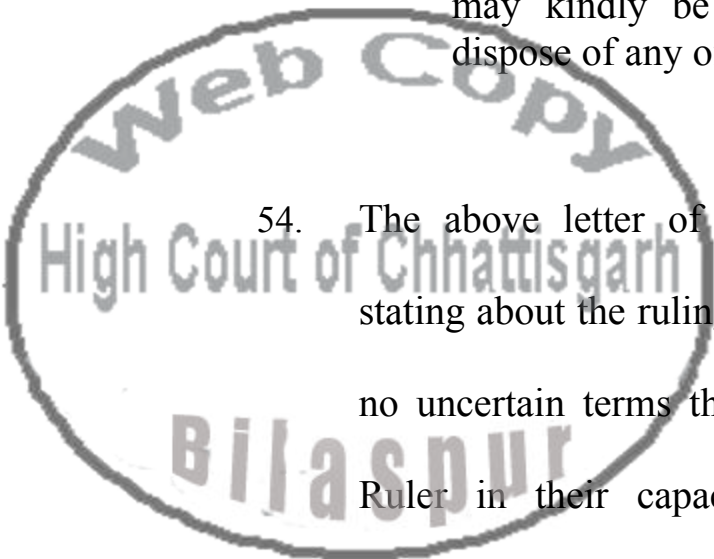
as the private properties of the Rulers, as distinguished from their “personal” or self acquired properties, vest in them, in their capacity as Rulers and should pass to their successors intact. The Rulers are not, therefore, entitled to dispose of their private properties for their own advantage. If any Ruler finds it necessary to dispose of any of his private properties, he should state the facts to the State Government concerned and obtain their approval. The proceeds of the property so permitted to be sold cannot however be appropriated by the Ruler himself but should be kept intact for his successor.

I am, therefore, to request you that the above ruling of the Government of India may kindly be kept in view and that the approval of State Government may kindly be sought whenever you desire to dispose of any of your private properties.

(Emphasis supplied)

54. The above letter of the Government of Madhya Pradesh stating about the ruling of the GOI would therefore declare in no uncertain terms that the private properties vested in the Ruler in their capacity as Rulers should pass to their successors intact. The original plaintiff was therefore entitled to succeed not only to *Gaddi* by virtue of Article 5 of the agreement (*Ex.P/88C*), but also to the private properties of the Ruler of Bastar.

55. After Maharaja Pravir Chanra Bhanjdeo was derecognised as Ruler of Bastar a dispute arose as to the ownership of new and old palaces, which were shown as the private property of Maharaja at the time of Accession, therefore, by





communication dated 21-5-1966 issued by the Government of Madhya Pradesh addressed to the Commissioner, Raipur Division. It was informed that the present Ruler should be regarded as the owner of the palace at Jagdalpur with its appurtenances. By subsequent communication of the Collector, Bastar, dated 24-2-1967 addressed to the Commissioner, Raipur Division regarding handing over the property of the deceased Ruler to the present Maharaja of Bastar, it was informed that the old and new Palaces have been handed over to the present Ruler on 4-2-1967. The letter also stated that all silver and golden ornaments, cheque books and important documents which were found in both the palaces have been deposited in the district treasury.

56. By memorandum dated 4-12-1952 the Government of Madhya Pradesh informed the Deputy Commissioner, Bastar, Jagdalpur, regarding handing over private property of the Maharaja of Bastar. The memorandum dated 4-12-1952 is reproduced hereunder :

GOVERNMENT OF MADHYA PRADESH

Political And Military Department

...

MEMORANDUM



No. 4372-559/ST,

Dated, Nagpur, the 4th Decr. 1952.

To
The Deputy Commissioner,
Bastar, Jagdalpur.

Sub. :- Private Property of the Maharaja of Bastar Handing Over of.
Ref. :- Correspondence resting with your telegram dated the 25th July, 1952.

...

The State Government are pleased to direct that the following items of property allowed to the Maharaja of Bastar as his private property in the agreement regarding inventory reached between the Maharaja of Bastar and the Chief Minister and approved by the Government of India should be handed over to the Maharaja of Bastar subject to the conditions mentioned against them:-

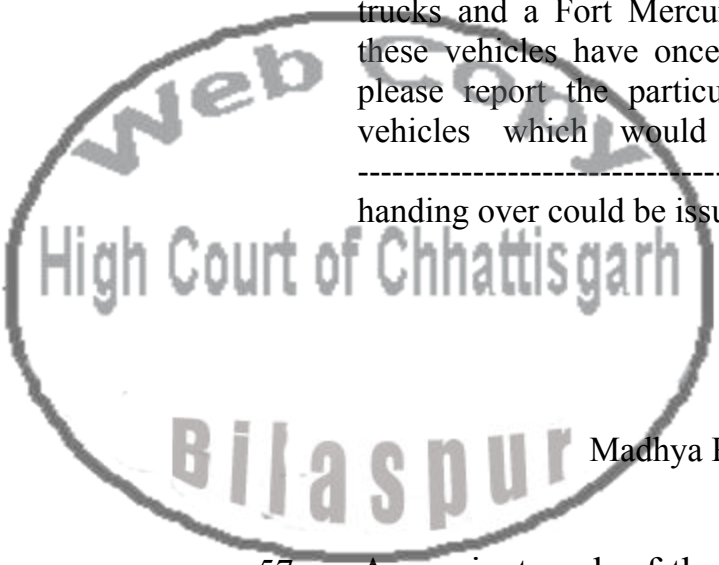
<u>Serial No.</u>	<u>Item of property</u>	<u>Conditions</u>
1.	Rest House at Amravati in Kondgaon Tahsil	Nil
2.	New place site situate at the Sargipal Reserve.	Nil
3.	Two sheds in Gangamunda for giving Shelter to the aboriginals on the Deshera festival.	Subject to the condition that they are allowed to be used as before for sheltering aboriginals who came to Jagdalpur for litigation, ceremonies, etc.
4.	Halba-kote Mango tope (near the landing ground)	Nil
5.	Brindaban Mango Tope	Nil
6.	Khadakghat Mango Tope	Nil
7.	Khadakghat Coconut Garden	Nil
8.	Hikmipara Orange Garden	Nil
9.	Hikmipara Mango Tope	Nil
10.	Pan Garden near the Power House.	Nil
11.	The Rest House at Bailadila	Nil
12.	The Shed in Kumhrakote village where Bahar Raini festival during Dashera is being held.	Subject to the condition that they are made available as before to the aboriginals during



- With an area of about 4 acres around it. Dasher every year and that they will be liable to be resumed on breach of this condition.
13. The lands below the Samundar Tank Bund. Nil
14. Hikmipara Garden. Mango Subject to the condition that the Sunday Market is allowed to be held there as before.
15. The Palace. Nil

Orders on items 2, 3, 4 and 5 of Statement 'B' enclosed with your D.O. N.. SC/127 of 1952, dated the 28th June 1952 will be communicated in due course.

In the agreement regarding inventory, the Maharaja's claim to three trucks and a Fort Mercury Car was accepted. Please report whether these vehicles have once been handed over to the Maharaja. If not, please report the particulars regarding make, numbers, etc. of the vehicles which would go to the Maharaja according the -
----- agreement so that orders for their handing over could be issued.



By order of the Governor,
Madhya Pradesh,
K. Krishnan,
Under secretary to Government,
Madhya Pradesh, Political and Military Department.

57. As against each of the private property mentioned in *Ex.P/82* above, conditions were imposed for some properties. For the two sheds in Gangamunda for giving shelter to the aboriginals on the Dasher festival with further condition that they are allowed to be used as before for sheltering aboriginals who came to Jagdalpur for litigation, ceremonies, etc. As against the property mentioned at S.No.12 a condition was imposed that they are made available as before to the aboriginals



during Deshera every year and that they will be liable to be resumed on breach of this condition.

In respect of Hikmipara Mango Garden a condition was imposed that the Sunday market is allowed to be held there as before. It is also mentioned that orders on certain items mentioned in statement 'B' shall be communicated in due course. By another communication dated 3-11-1954 (*Ex.P/79*) Maharaja's claim for inclusion of Panchgaon Nagri situated in Dhamtari in the list of inventory agreement was admitted. Maharaja's claim to the arrears of income which accrued from the said villages was also allowed and a sum of Rs.88,951/- was credited to the revenue of the former Bastar State prior to integration.

58. By another communication dated 2-8-1956 two more properties namely; Rest House at Amravati in Kondagaon Tahsil area 0.76 acres in Makdi Revenue Forest and New Palace site situated at the Sarjinal Reserve Forest Area, area 33.36 acres together with the trees, etc. standing on the sites were directed to be handed over to the Maharaja of Bastar as his private property.

59. The condition imposed on user/enjoyment of some of the properties conferring rights on the tribals or holding of



Sunday market would again make it explicit that if the private properties were not the properties attached to **Gaddi**, such conditions could not have been imposed upon its user. This condition necessarily implies that the properties shall pass on to the successor Rulers intact with the conditions attached. Reading it otherwise would make the properties partible being available for disposal violating the rights of tribals or the public at large for holding markets, etc. If the property is treated to be available for distribution amongst the legal heirs of Maharaja Pravir Chandra Bhanjdeo, these properties on which the conditions have been attached would also become the personal property of the legal heirs. This does not appear to be the intention of the GOI at any point of time to deprive the tribals of Bastar of their customary rights attached to some of the private properties of the Ruler.

60. The documents discussed above and the pleadings of the parties as well, would lead us to an indisputable fact that the properties involved in the present suit were private properties of the Maharaja of Bastar.
61. While the plaintiff/appellant contends that rule of impartibility and primogeniture applies to the private properties of the Maharaja, the respondent/defendants would contend



otherwise. Plaintiff/appellant also contends that applying the rule of Lineal Male Primogeniture to the **Gaddi** of Bastar State, the eldest male heir of the Ruler inherits both **Gaddi** and properties. Therefore, the plaintiff is entitled to succeed on this count alone. On the contrary, the respondents/defendants claim to derive title by applying the ordinary law/Municipal law relating to succession and the compromise decree passed by the District Judge, Bastar on 17-2-1978 in civil suit No.2-A/1978.

Case Laws :

62. The issue as to whether rule of primogeniture would apply to the **Gaddi** and the property of the former Ruler was the subject matter of adjudication in cases decided by some of the High Courts and the Supreme Court as well. We shall now discuss the case law as infra :

63. In **Vishnu Partap Singh v State of Madhya Pradesh and Others**⁵ the Supreme Court observed thus in para 5 (pg. 46) :

5. Despite the distinction drawn in Article XI, there was in reality no distinction between State property and the property privately owned by a Ruler, since the Ruler was the owner of all the property in the State. For the purposes of arrangement of finance, however, such a distinction was practically being observed by all

⁵ 1990 (Supp) SCC 43



Rulers. The apparent effect of the covenant was that all the property in the State vested in the United State of Vindhya Pradesh except private property which was to remain with the Rulers. As is evident, the Ruler was required under Article XI to furnish to the Raj Pramukh before May 1, 1948 an inventory of all immovable properties, securities and cash balances held by him as such private property. Conceivably, on a dispute arising as to whether any item of property was or was not the private property of the Ruler and hence state property, it was required to be referred to a Judicial Officer to be nominated by the Government of India and the decision of that officer was to be final and binding on all parties concerned. Despite the stern language of Article XI, requiring a Ruler to furnish the list of his private properties by May 1, 1948, the covenant did not contain any clause or article providing penal consequences which would or were likely to follow in the event of a Ruler not furnishing the list of private properties before that date. Nothing is available in the covenant and none was pointed out to us that if a Ruler failed to furnish an inventory of his private properties before May 1, 1948, he was debarred from furnishing it at a later stage and that failure of his part had the effect of divesting him of title to his private properties.

(Emphasis supplied)

64. In *Revathinnal Balagopala Varma v His Highness Shri Padmanabha Dasa Bala Rama Varma (since deceased) and Others*⁶ the Supreme Court held thus in paras 64 & 67 :

64. If someone asserts that to a particular property held by a sovereign the legal incidents of sovereignty do not apply, it will have to be pleaded and established by him that the said property was held by the sovereign not as a sovereign but in some other capacity.....

⁶ 1993 Supp (1) SCC 233



67. The properties in suit having passed on from one sovereign to the other came to be ultimately held by Respondent No. 1 in that capacity. Neither any principle nor authority nor even any grant etc. has been brought to our notice on the basis of which it could be held that in the properties of the State held by a sovereign an interest was created or came into being in favour of the family to which the sovereign belonged.

(Emphasis supplied)

65. In *H.H. Maharajadhiraja Madhav Rao Jivaji Rao Scindia Bahadur of Gwalior v. Union of India and Others*⁷ (also known as *privy purse* case) it has been observed by Hon'ble G.K. Mitter, J. that “it would appear that invariably the Rule of Lineal Male Primogeniture coupled with the custom of adopting a son prevailed in the case of Hindu Rulers who composed of the bulk of this body.”

66. In *His Highness Maharaja Pratap Singh v Her Highness Maharani Sarojini Devi and Others*⁸ the Supreme Court, after referring to several of earlier decisions of the Privy Council, Supreme Court and different High Courts and to the well accepted literatures held thus in paras 65 to 68 :

65. Though impartibility and primogeniture, in relation to zamindari estates or other impartible estates are to be established by custom, in the case of a sovereign Ruler, they are presumed to exist.

7 1971 (1) SCC 85

8 1994 Supp (1) SCC 734



66. The allied question is whether the Rule of Primogeniture applies only to the Rulership (Gaddi) and not to the other property ? This is precisely the argument of Mr. Hingorani. This argument came to be accepted by the learned Single Judge of the High Court of Himachal Pradesh as well as the Division Bench of the Delhi High Court in the judgment under appeal. We have already referred to the observations of Lord Tenterden in Advocate General v Amerchund. We may also now refer to the observations of Bhagawati, J. (as he then was) in D.S. Meramwala Bhayavala v. Ba Shri Amarba Jethsurbhai.

“If the Khari-Bagasra Estate was a sovereign Estate, it is difficult to see how the ordinary incidents of ancestral co-parcenary property could be applied to that Estate. The characteristic feature of ancestral co-parcenary property is that members of the family acquire an interest in the property by birth or adoption and by virtue of such interest they can claim for right : (1) the right of partition ; (2) the right to restrain alienations by the head of the family except for necessity ; (3) the right of maintenance ; and (4) the right of survivorship. It is obvious from the nature of a sovereign Estate that there can be no interest by birth or adoption in such Estate and these rights which are necessary consequence of community of interest cannot exist. The Chief of a sovereign Estate would hold the Estate by virtue of his sovereign power and not by virtue of municipal law. He would not be subject to municipal law ; he would in fact be the fountain head of municipal law. The municipal law cannot determine or control the scope and extent of his interest in the Estate or impose any limitation on his powers in relation to the Estate.”

67. Again, at para 12 it is stated thus:

“As a sovereign Ruler he would be the full and complete owner of the Estate entitled to



do what he likes with the Estate. During his lifetime no one else can claim an interest in the Estate, Such an interest would be inconsistent with his sovereignty. To grant that the sons acquire an interest by birth or adoption in the Estate which is a consequence arising under the municipal law would be to the municipal law would be to make the Chief who is the Sovereign Ruler of the Estate subject to the municipal law”.

68. This being the position, the distinction drawn between public and private property seems to be not correct. Reference has been made to the case in Revathinnal Balagopala Varma (supra) in this regard. In so far as such a concept runs counter to the basic attribute of sovereignty the said distinction is not acceptable. In this connection, we may refer to Mirza Raja Shri Pushavathi Viziamam Gajapathi Raj Manne Sultan Bahadur v. Shri Pushvathi Visweswar Gajapathi Raj. At page 416 it was observed thus:

“It follows from the decision in Shiba Prasad Singh's case, that unless the power is excluded by statute or custom, the holder of customary impartible estate, by a declaration of his intention can incorporate with the estate self-acquired immovable property and thereupon, the property accrues to the estate and is impressed with all its incidents, including a custom of descent by primogeniture. It may be otherwise in the case of an estate granted by the Crown subject to descent by primogeniture.”

(Emphasis supplied)

67. In the above referred matter of ***His Highness Maharaja Pratap Singh*** (supra) the Supreme Court also considered the issue as to whether the primogeniture lapsed at the time of



accession or merger in the years 1947-48 and has answered the question thus in paragraphs 69 & 70 :

69. With this, we pass on to the next question whether the primogeniture lapsed in the years 1947-48 ? It is the contention of the respondents that Pratap Singh ceased to be governed by primogeniture on 15-8-1947 and in any case, on 20-8-1948 when he ceased to be a sovereign. It is true that there was no Rulership after India became a Republic on 26th of January, 1950 but if the estate is impartible in nature it would continue to be governed by the Rule of primogeniture. We will refer to Thakore Shri Vinaysinhji v. Kumar Shri Natwarsinhji. At page 134 it is stated thus:

“The principle of law that is applicable to a coparcenary property or to the coparceners is inapplicable to an impartible estate or to the holder thereof except that an impartible estate is considered to be a joint family property to the extent of the junior members succeeding to the estate by right of survivorship. When under certain circumstances the right of a coparcener to take by survivorship can be defeated, no exception can be taken, if the right of survivorship of junior members of an impartible estate to succeed to it is defeated by the holder thereof by disposition by a will.”

(Emphasis supplied)

70. Again in Rajkumar Narsingh Pratap Singh Deo v. State of Orissa at page 121 it is observed thus;

“As we have just indicated, the customary law which required the Ruler to provide maintenance for his junior brother, can be said to have been continued by Clause 4(b) of the Order of 1948 and Article 372 of the Constitution;....”

(Emphasis supplied)



68. In *His Highness Maharaja Pratap Singh* (supra) the Supreme Court has also considered the fact of Section 5 of the Act, 1956 and the commentaries contained in Mulla's Hindu Law to the applicability of rule of primogeniture under the Act, 1956 and held thus in paragraphs 71 to 75 :

71. Section 5 of the Hindu Succession Act, 1956 (Central Act 30 of 1956) states as follows:

“This Act shall not apply to-

(i) * * *

(ii) any estate which descends to a single heir by the terms of any covenant or agreement entered into by the Ruler of any Indian State with the Government of India or by the terms of any enactment passed before the commencement of this Act ;

(iii) * * *”

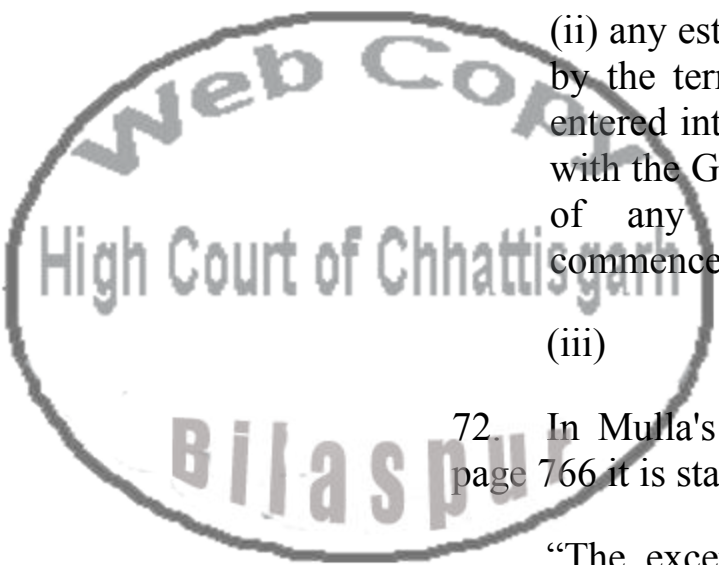
72. In Mulla's Hindu Law, Sixteenth Edition at page 766 it is stated:

“The exception is limited to the impartible estates of Rulers of Indian States succession to which is regulated by special covenants or agreements and to estate, succession to which is regulated by any previous legislation, and the Estate and Palace Funds mentioned in Sub-section (iii).”

73. At the stage of Bill, 1954 it was clearly brought out in the Rajya Sabha Debates at pages 7115 and 7116 as under:

“Then there is another clause, Sub-clause (ii) which says:

'any estate which descends to a single heir by the terms of any covenant or





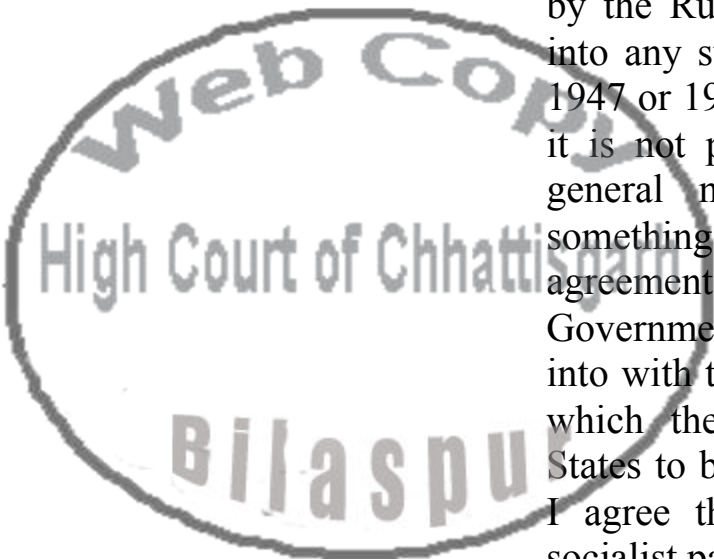
agreement entered into by the Ruler of any Indian State with the Government of India or by the terms of any enactment passed before the commencement of this Act.'

This clause has been put in because, as we know, it is only after the attainment of independence that on a large scale there has been integration of States, and there are certain agreements and covenants which have been entered into between the Government and those Rulers of States, and some arrangements have been made only very recently with respect to their line of succession. It is a special thing. What it says is : 'any covenant or agreement entered into by the Ruler'. Naturally, if we have entered into any such agreement only as recently as 1947 or 1948 and much time has not elapsed, it is not proper that by an enactment of a general nature like this we should do something which will set at nought the agreements and the covenants which the Government of India has solemnly entered into with those people and on the strength of which they had consented to allow their States to be integrated with India. Of course, I agree that probably it is not entirely a socialist pattern or whatever you call it, but as I have been always saying, I hold the opinion that we have to proceed by the process of evolution. I do not mince matters.”

74. Therefore, it can be said with certainty that this rule continued even after 1947-48.

75. Under Article 372 the law of succession relating to primogeniture continues until it is repealed. This is the position of law relating to succession.

(Emphasis supplied)





69. The Supreme Court in *Bhaiya Ramanuj Pratap Deo v Lala Maheshanuj Pratap Deo & Others*⁹ the Supreme Court held that Section 5 (ii) of the Act, 1956 protects an estate which descends to a single heir by the terms of any covenant or agreement entered into or by the terms of any enactment inasmuch as Hindu Succession Act is not applicable to such an estate. This section stands as an exception to Section 4 of the Act, 1956.

70. The Delhi High Court in *Maharaja Jagat Singh v Lt. Col. Bhawani Singh & Others*¹⁰ held that private properties of erstwhile rulers does not become HUF properties by virtue of merger and accession. Section 4 of the Act, 1956 and 26th amendment of Constitution have no applicability to such properties and that merger of impartible estate attached to the *Gaddi* being the private property of the Ruler at the time of merger do not become HUF properties. The Delhi High Court held thus at paragraph 10 :

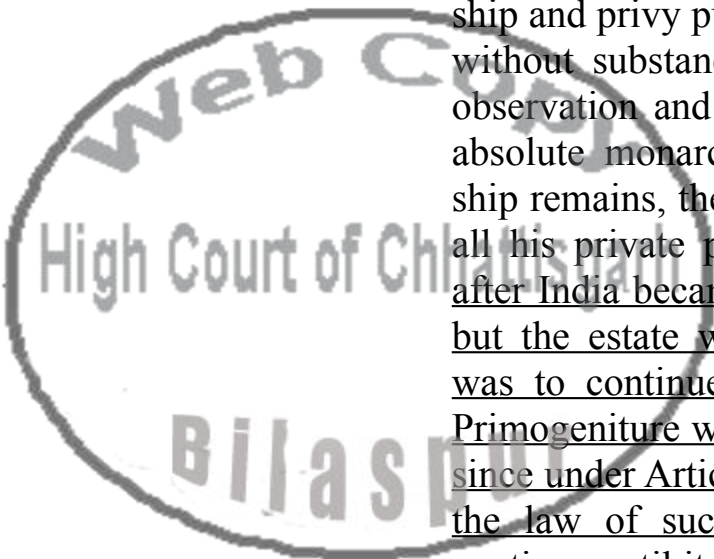
10. Mr. Parsaran then placed reliance on the 26th Amendment of the Constitution of India. Reliance on 26th Amendment of the Constitution of India, to my mind, is misplaced. The 26th Amendment of the Constitution is not retrospective and could not have changed the succession of the property of Maharaja Sawai Man Singh by defendant No. 1 which already took place in 1970. Maharaja Man

9 AIR 1981 SC 1937

10 AIR 1994 Delhi 14



Singh died in the year 1970 whereas the 26th Amendment came on the Statute Book in the year 1971, Hence the contention of Mr. Parsaran, cannot be supported from the facts of this case that 26th Amendment of the Constitution of India invalidated the question of ownership appended to the status as Ruler or that the Status of the Ruler having ceased after coming into force the 26th Amendment of the Constitution of India. Further contention of Mr. Parsaran, Senior Advocate for the plaintiff that the reason for impartibility is not the custom but the Covenant alleged to be providing for impartibility by accepting the custom. The custom is overridden by Section 4 of the Hindu Succession Act, 1956. The impartibility attributable by virtue of the covenant stands obliterated by the omission of Articles 291 and 362 and the abolition of Ruler ship and privy purse. This argument, to my mind, is without substance in view of the Supreme Court observation and also on the ground that being the absolute monarch or sovereign so long the ruler ship remains, the Ruler was to remain the owner of all his private properties. There was no rulership after India became republic on 26th January, 1950, but the estate which was impartible in its nature was to continue to be governed by the Rule of Primogeniture which continued even after 1947-48, since under Article 372 of the Constitution of India, the law of succession relating to primogeniture continue until it was repealed. This was repealed on coming into force of the Hindu Succession Act, 1956. But the Hindu Succession Act itself under Section 5 made a special provision exempting the application of the Act from "any estate which descends to a single heir by terms of any covenant or agreement entered into by the Ruler of any Indian State with the Government of India". The debates in Parliament on the Hindu Succession Bill also show that the intention of the Government was to exempt the application of Hindu Succession Act from the estates of the ancestral rulers of princely States where the property was inherited by the custom of male lineal primogeniture which custom was preserved by the covenants signed with these Rulers. Moreover, all these aspects have been





gone into by the Supreme Court in the above quoted cases wherein it has been held that other family members cannot claim any right in the private properties of a sovereign ruler even after the merger. Therefore, it cannot be said that the private properties' of the erstwhile ruler of Jaipur State became HUF properties by virtue of merger and accession. Therefore, reliance by Mr. Parsaran either on the 26th Amendment or to Section 4 of the Hindu Succession Act has no relevance with the facts of this case.

(Emphasis supplied)

71. It is also to be noticed that in the matter of ***His Highness Maharaja Pratap Singh*** (supra) the Supreme Court had an occasion to interpret Article 12 of the convent entered between the State of Nabha (Punjab) and the Governor General of India. This Article is in *pari materia* with Article 3 of the agreement between the Maharaja of Bastar State and the Governor General of India.

72. Article 12 discussed in the Nabha State matter and Article 3 of the agreement in the case of Bastar State are reproduced hereunder for comparison and to demonstrate that they are *pari materia* :

<i>Article XII of the convent entered between the State of Nabha (Punjab) and the Governor General of India</i>	<i>Article 3 of the agreement between Maharaja of Bastar and the Governor General of India</i>
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<p>Article XII. (1) The Ruler of each Covenanting State shall be entitled to the full ownership, use and enjoyment of all private properties (as distinct from State Properties) belonging to him on the date of his making over the administration of that State to the Raj Pramukh.</p> <p>(2) He shall furnish to the Raj Pramukh before the 20th day of September, 1948, an inventory of all the immovable properties, securities and cash balances held by him as such private property.</p> <p>(3) If any dispute arises as to whether any item of property is the private property of the Ruler or State property, it shall be referred to such person as the Government of India may nominate in consultation with Raj Pramukh and the decision of that person shall be final and binding on all parties concerned:</p> <p>Provided that no such dispute shall be so referable after the 30th June, 1949.</p>	<p>The Maharaja shall be entitled to the full ownership, use and enjoyment of all private properties (as distinct from State properties) belonging to him on the date of this agreement.</p> <p>The Maharaja will furnish to the Dominion Government before the 1st day of January 1948 an inventory of all the immovable property, securities and cash balance held by him as such private property.</p> <p>If any dispute arises as to whether any item of property is the private property of the Maharaja or State property, it shall be referred to such officer with judicial experience as the Dominion Government may nominate and the decision of that officer shall be final and binding on both parties.</p>
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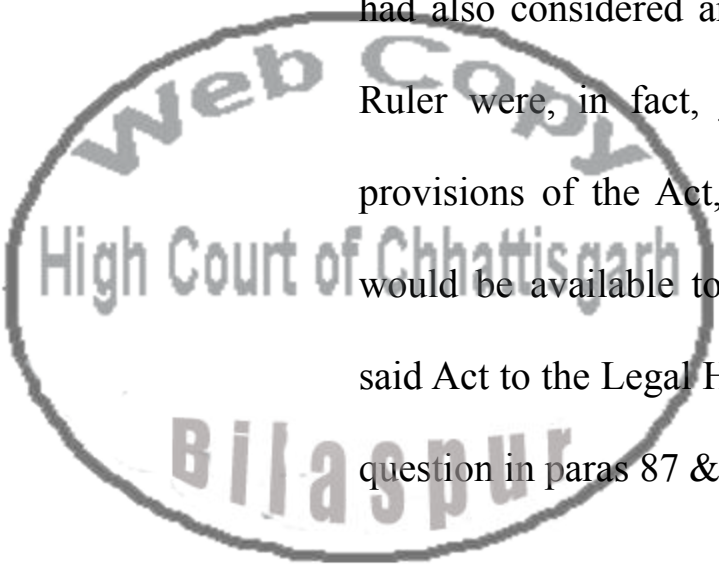
73. Considering the language of the above stated Article the Supreme Court in *His Highness Maharaja Pratap Singh* (supra) held thus in para 78 :



78. A careful reading of Article XII shows that there is a clear distinction between the private properties and the State properties. Such private properties must be belonging to the Ruler and must be in his use and enjoyment even earlier. Therefore, properties which were recognised even earlier as such private properties alone were to be left out and submitted of the recognition as such. As stated in White Paper (para 157, page 23 supra), the demarcation and the settlement of the list was carried out for the purposes of Integration. If this be the correct position of law, the contrary observations of the learned Single Judge are not correct.

74. In *Revathinnal Balagopala Varma* (supra) the Supreme Court had also considered an argument that private properties of a Ruler were, in fact, joint family properties, therefore, the provisions of the Act, 1956 would apply and the properties would be available to be succeeded in accordance with the said Act to the Legal Heirs. The Supreme Court answered the question in paras 87 & 88 thus :

87. We may, at this place, point out that reliance was placed by learned Counsel for the appellant on certain decisions laying down that if joint Hindu family property was by custom or otherwise impartible, its nature of partible joint Hindu family property will get revived on the commencement of the Hindu Succession Act, 1956 and the Kerala Joint Hindu Family System (Abolition) Act, 1975. Reference was also made to several passages from Chapter 12 of Hindu Law by S.V. Gupte dealing with impartible property including the circumstances in which impartible property becomes capable of partition. However, in view of our finding that the properties in suit were not joint family properties as alleged by the appellant but were the personal properties of respondent No. 1,





we do not consider it necessary to deal with them. Neither any principle of law nor any authority has been brought to our notice in view whereof personal properties of respondent No. 1 could get transformed into joint Hindu family properties wherein the appellant could acquire an interest. Even if we proceed on the basis that the personal properties held by respondent No. 1 continued to retain the character of impartibility and they became partible subsequently, it would, in no way, advance the case of the appellant inasmuch as it has not been shown to us that the appellant would be an heir of respondent No. 1 with regard to his personal properties. Apparently such properties would on his demise be governed either by testamentary disposition or would devolve on his personal heirs.

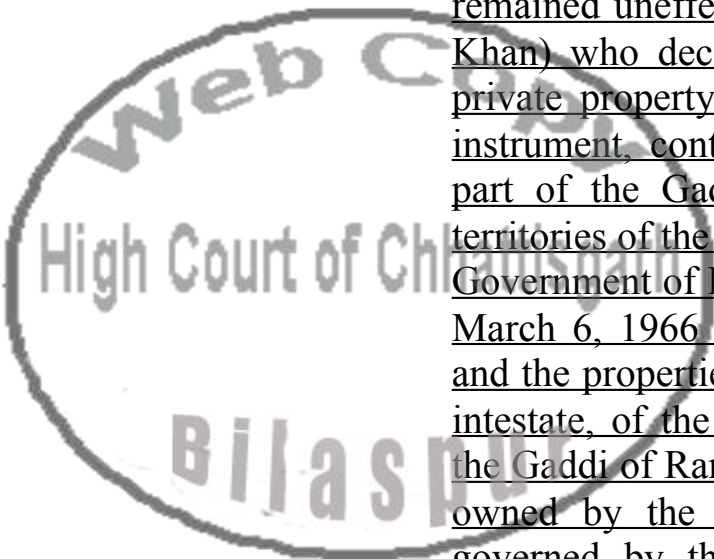
88. Another point urged by learned Counsel for the appellant was that the covenant could not confer any right in favour of respondent No. 1 which he did not otherwise possess nor could it take away the rights of the members of the joint Hindu family by accepting the properties in suit to be the personal properties of respondent No. 1. Suffice it to say so far as this submission is concerned that as has been held above, the properties in suit had been earmarked by respondent No. 1 as his personal properties which he was competent to do as a sovereign and the Government by accepting or approving the list of properties submitted by him as his personal properties in pursuance of the covenant did not purport on its own to create any right in favour of respondent No. 1 in such properties. The Government could have disputed the list submitted by respondent No. 1 but it chose not to do so and the assertion of respondent No. 1 that the properties in suit were his personal properties was accepted.

75. The rule of succession in respect of *Gaddi* as well as the properties pertaining thereto fell for consideration before the Single Judge of the Allahabad High Court in *Miss Talat*



Fatima Hasan (supra), wherein it has been held thus in paragraphs 93 & 94 :

93. To sum up therefore, as a result of all the above stated facts, circumstance and the legal position, this Court has arrived at a conclusion that the rule of succession in respect of the Gaddi of Rampur State as well as the properties pertaining thereto, has all along been the rule of male lineal primogeniture, according to which the eldest male heir of the late ruler inherited both the Gaddi and the properties, and the properties had an impartible character. On the merger of the State with the dominion of India by means of the instrument of merger dated 15-5-1949 Exhibit 4. the said position remained unaffected and the late Nawab (Raza Ali Khan) who declared the properties in suit as his private property in terms of Clause 4 of the said instrument, continued to hold these properties, as part of the Gaddi of Rampur State, despite the territories of the said State having been ceded to the Government of India. This thus was the position on March 6, 1966 when the succession to the Gaddi and the properties in question opened on the death, intestate, of the late Nawab Raza Ali Khan. Both the Gaddi of Rampur State as well as the properties owned by the said ruler, thus continued to be governed by the rule of primogeniture and the principle of impartiality, which did not come to an end with the lapse of paramountcy and the integration of the State with the dominion of India. The late defendant No. 1 Nawab Murtuza Ali Khan, thus, in accordance with the above said rule of inheritance, succeeded to the Gaddi of Rampur as well as the entire property then owned by the late ruler. The said property in the matter of succession was not governed by the Muslim personal Law and the plaintiff, or for that matter no other descendant of the late Nawab, had any right to inherit the same or any share therein. The position in this regard also did not change on the abolition of privi purses and cessation of recognition, as ruler for the purposes of the Constitution the late Nawab, by the President of India on account of the 26th



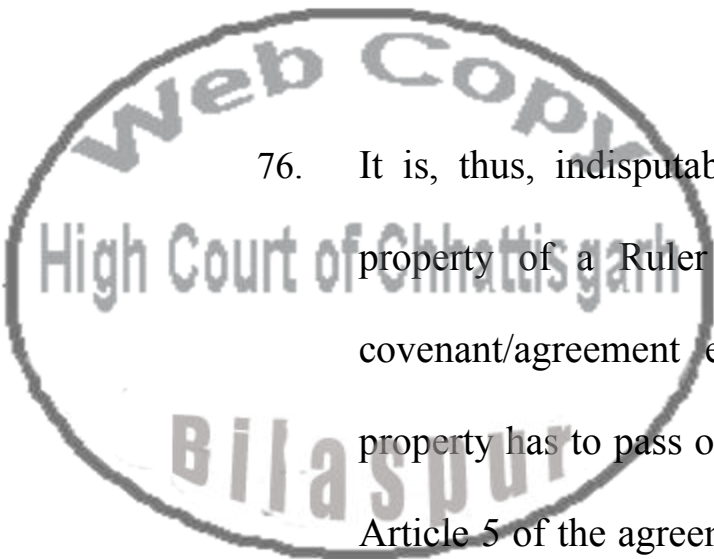


Amendment to the Constitution in the year 1971.

94. The plaintiff thus has failed to establish that she has inherited any share in the properties in suit, moveable or immovable, as claimed in the plaint, on the demise of the late Nawab Raza Ali Khan. The creation of the trust named Raza Trust by the late Nawab, and for that matter the grant of Jagirs, pensions and making other provisions for such members of the family who are not to inherit any share in the properties does provide a circumstance lending support to the theory of succession by the rule of male lineal primogeniture, though it does not render the suit non-maintainable at the threshold on that count alone.

(Emphasis supplied)

76. It is, thus, indisputably and fairly well settled that private property of a Ruler was to remain with him under the covenant/agreement executed with the GOI and the said property has to pass on from one Ruler to another in terms of Article 5 of the agreement. It would pass on to the next Ruler under the principle of Lineal Male Primogeniture and the private properties would not be treated as the joint family property or HUF property of the Ruler. It is also settled that by virtue of Section 5(ii) of the Act, 1956, the provisions of the said Act would not apply to the suit property as under the covenant, it would descend to a single heir under the terms of the agreement executed between the Ruler of Bastar and the GOI. It is also settled that the *Gaddi* and the property





would pass on to the next Ruler and would thereafter pass on to the legal heirs of the last Ruler.

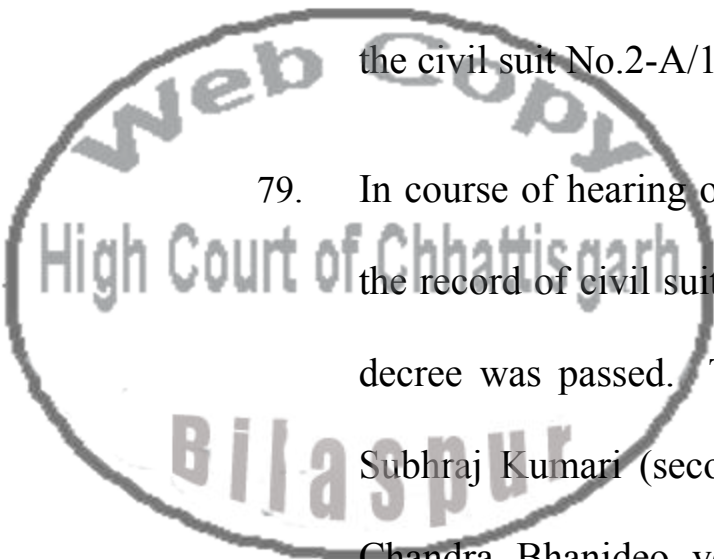
77. The private property of the Ruler shall not be treated as HUF property nor the Act, 1956 would apply to the said property for yet another reason inasmuch as vide Ex.P/74, which is a letter issued by the Government of the Central Provinces and Berar dated 19.07.1948, it was specifically provided that the Muafi Rights created by the Ruler i.e. Maharaja Parvir Chandra Bhanjdeo for the *maintenance of his brother in 27 villages are allowed*. It is, thus, apparent that if the other family members had any right over the private property by birth or by survivorship there was absolutely no necessity to create Muafi Rights for the maintenance of the Ruler's brother in 27 villages. It is clearly discernible that the brothers of the Ruler were treated as a separate entity at the time of merger and they had no claim to the private property of the Ruler as they were separated by granting them Muafi Rights in the lands for their maintenance. The brothers of the Ruler have, thus, no right over the properties of the Ruler which would pass on to the next Ruler under law of Primogeniture.

Validity of the compromise decree :



78. Another important contention raised by the learned counsel for the appellant is in respect of the validity of the compromise decree passed by the District Judge, Bastar, in civil suit No.2-A/1978. The appellant/plaintiff contends that the compromise decree was fraudulently obtained to deprive the appellant of the property to which he is entitled by virtue of successor to the *Gaddi* and the property under the rule of Primogeniture. The decree is otherwise not binding because the present plaintiffs/appellants were not arrayed as a party in the civil suit No.2-A/1978.

79. In course of hearing of the instant appeal, we had summoned the record of civil suit No.2-A/1978 wherein the compromise decree was passed. The suit was filed by Vedvati Devi @ Subhraj Kumari (second wife), widow of Maharaja Praveer Chandra Bhanjdeo versus Harihar Chandra Bhanjdeo, S/o Vijay Chandra Bhanjdeo and Devesh Chandra Bhanjdeo, S/o Vijay Chandra Bhanjdeo. The prayer made in the suit was only for declaration of WILL dated 27-2-1964 as null, void and ineffective. The said WILL was allegedly executed by Late Praveer Chandra Bhanjdeo in favour of defendants Harihar Chandra Bhanjdeo and Devesh Chandra Bhanjdeo. No relief was claimed for declaration of title to the property enlisted in Schedule 'A' to the plaint, however, compromise





application was filed covering almost the entire private property of erstwhile Ruler of Bastar and the parties to the said suit partitioned the same amongst themselves. One of the defendant in the present suit namely; Brijesh Bajpai, Advocate, acted as guardian ad litem of Minor defendant No.2 Devesh Chandra Bhanjdeo.

80. The compromise application filed in the said suit recites in para 2 that the parties to the suit shall take half share each in the properties belonging to Late Maharaja Praveer Chandra Bhanjdeo. No declaration was issued in the suit in respect of the WILL dated 27-2-1964, therefore, the said plaintiff Vedvati Devi abandoned her plea regarding invalidity of the said WILL.

81. A certified copy of the compromise decree was not placed in the trial Court, however, as held in *Jaswant Singh v Gurdev Singh and Others*¹¹ once the compromise decree is passed in terms of the compromise deed the same becomes a public document and since copy of the same is now available before this Court we shall proceed to examine the validity of the same.

11 (2012) 1 SCC 425



82. It is settled law that a decree passed by a civil Court binds only the parties thereto and not any third party interest, therefore, the said compromise decree neither binds nor effects the rights of the present plaintiffs/appellants. Otherwise also, the suit, which was initially filed for invalidating the WILL dated 27-2-1964 was subsequently compromised covering the entire private property of Late Praveer Chandra Bhanjdeo. Thus, the suit filed for one purpose was enlarged to cover the entire private property of Ruler of Bastar without impleading the original plaintiff who was the last Ruler and male lineal primogeniture having succeeded to the *Gaddi* and property of Bastar state under the rule of primogeniture.

83. The decree was clearly obtained by fraud, therefore, in view of the law laid down by the Supreme Court in *A.V. Papayya Sastry and Others v Govt. of A.P. and Others*¹² the decree would be non est being a nullity having no sanctity in the eyes of law. Accordingly, the compromise decree dated 17-3-1978 is deserves to be and is hereby declared as void *ab initio*.

84. Defending the sale on the plea of *bona fide* purchasers, the defendants have referred to the provisions contained in Section 41 of the TP Act. The provision may save the

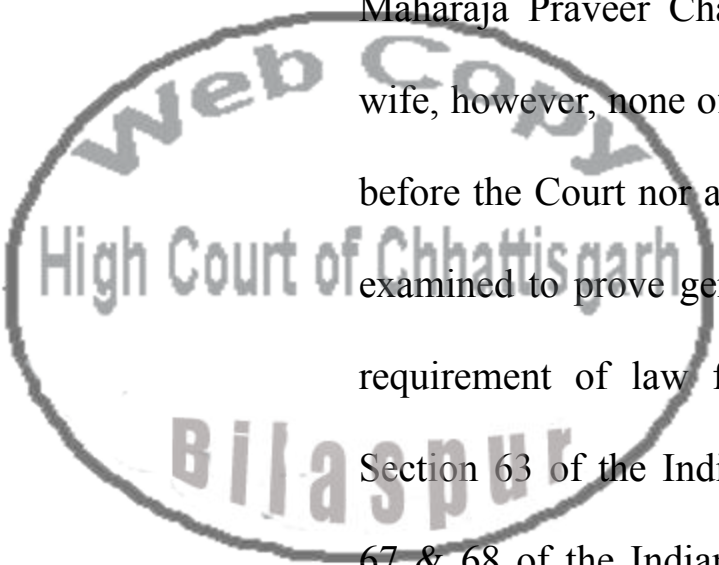
12 (2007) 4 SCC 221



alienation by a person who was having title pursuant to a decree which was later on set aside, however, in a case where title was acquired on the basis of a decree obtained by fraud the alienation would not be saved because fraud vitiates all subsequent action. The decree obtained by fraud is void *ab initio*, therefore, the sellers had no title to pass on to the purchasers.

85. Both the parties have relied on WILLS executed by Late Maharaja Praveer Chandra Bhanjdeo or his first or second wife, however, none of the WILLS have been filed in original before the Court nor any of the attesting witnesses have been examined to prove genuineness of the WILL in terms of the requirement of law for proving a WILL as contained in Section 63 of the Indian Succession Act, 1925 and Sections 67 & 68 of the Indian Evidence Act, 1872. Thus, claim of either parties on the basis of WILL is not proved and the decision on their respective rights would be governed in the manner discussed *supra* in this judgment on other issues.

86. Even otherwise, the Government of Madhya Pradesh had issued an order as back as on 20-6-1953, under the approval of the GOI, declaring Maharaja Pravir Chandra Bhanjdeo to be mentally incapable of maintaining his estate and the entire

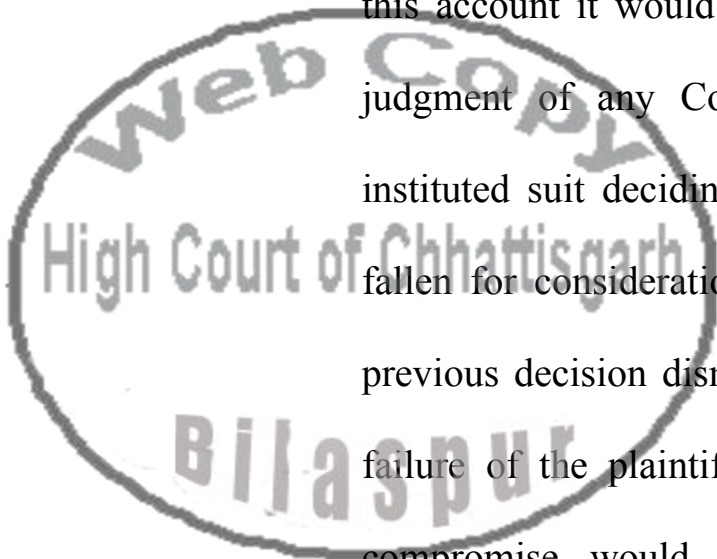




private properties were placed under the charge of Court of Wards (MP), therefore, the WILLS sought to be enforced by either of the parties to the present suit is of no value as there is ample evidence in form of Government orders declaring that Maharaja Pravir Chandra Bhanjdeo was suffering from mental infirmity.

87. The trial Court has decided the issue No.14 against the plaintiffs holding that the suit suffers from *res judicata*. On this account it would be suffice to mention that there is no judgment of any Court on any issue in any previously instituted suit deciding the same issue on merits which has fallen for consideration in the present suit. Therefore, any previous decision dismissing the suit of any of the party for failure of the plaintiff to prosecute the suit or by way of compromise would not hit the present suit under the principles of *res judicata*. The finding on issue No.14 is, thus, contrary to settled legal principle.

88. Trial Court has found, while deciding issue No.20, that the land of Mundi Dongri was the personal property of Late Maharaja Praveer Chandra Bhanjdeo and not his private property, however, the plaintiffs as well as the original defendant No.4 Smt. Subhraj Kumari alias Vedvati who was





the lone member of the Royal family to file written statement amongst several defendants of the family, has admitted in her written statement that the suit lands were entered in the list of private properties prepared at the time of vesting of properties of Bastar state in the dominion of India. Thus, in between the plaintiffs and the defendants it is an admitted fact that all the suit properties including the land of Mundi Dongri are the private properties of Late Maharaja Praveer Chandra Bhanjdeo, therefore, for this reason alone the finding to the contrary recorded by the trial Court while deciding issue No.20 is perverse. These findings are set aside to hold that Mundi Dongri was also the private property in the hands of Late Maharaja Praveer Chandra Bhanjdeo. Even otherwise, a contrary finding has been recorded while deciding issue No.23A & 23B that the suit lands were not personal property of Late Maharaja Praveer Chandra Bhanjdeo.

89. The trial Court has also non-suited the plaintiff on the ground that the suit only for declaration is not maintainable, however, the prayer clause in the suit would clearly mention that the suit is also for recovery of possession and for setting aside the sale deeds, therefore, the suit is not merely for declaration, but for other consequential reliefs, thus, it is maintainable.



90. Trial Court also holds that there is non-joinder of causes of action or that plaintiffs having not filed the return under the Agricultural Ceiling Act, the suit is not maintainable, but there is no discussion as to under which provision of law the suit is not maintainable for non-filing of return under the Agricultural Ceiling Act. Similarly, there is no discussion in the judgment as to which particular cause of action suffers from non joinder. The trial Judge appears to have made a generalised statement while deciding these issues, however, on a reading of the entire pleadings and evidence it does not appear that the suit either suffers from non joinder of cause of action or is barred under any other law, therefore, we hold that the suit was maintainable in its present form.

91. On the basis of above discussion, we allow the appeal; set aside the judgment and decree passed by the trial Court; and pass the following decree in favour of the plaintiffs :

- The plaintiffs are declared owner and title holder of the lands and properties shown in Schedule 'A', 'B', 'C', 'D', 'E' & 'G'. They are entitled to recover possession of the lands and properties from the respective defendants.



- The sale deeds shown in Schedule 'B', 'E' & 'G' to the plaint are set aside. Plaintiffs are entitled to recover vacant possession of the lands covered in these schedules.
- The compromise judgment and decree passed by the District Judge, Bastar, on 17-2-1978 in civil suit No.2-A of 1978 is declared null and void *ab initio* and is set aside.

92. Decree be drawn accordingly.

Sd/-

High Court of Chhattisgarh

(Prashant Kumar Mishra)

Judge

Gowri

Bilaspur

Sd/-

(Vimla Singh Kapoor)

Judge