



2025:DHC:11092



* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% *Judgment Reserved on: 03.12.2025*
Judgment pronounced on:10.12.2025

+ **FAO 259/2015**

JANGLI (SINCE DECEASED) THR HIS LEGAL HEIRS & ORS

.....Appellant

Through: Mr. Abhimanyu and Mr. Abhishek,
Advocates.

versus

THE STATE & ORS

.....Respondent

Through: Mr. Roopansh Purohit and Ms.
Narayani Sepaha, Advocates.

+ **LA.APP. 500/2015 & CM APPL 42185/2023**

JANGLI THROUGH HIS LRS & ORS.

.....Appellant

Through: Mr. Abhimanyu and Mr. Abhishek,
Advocates.

versus

UNION OF INDIA & ORS.

.....Respondent

Through: Mr. Sanjay Kumar Pathak, Standing
Counsel with Mr. M.S. Akhtar, Mr.
Sunil Kumar Jha and Mr. Divakar
Kapil, Ms. K.K. Kiran Pathak
Advocate for R-1/UOI.
Mr. Roopansh Purohit and Ms.
Narayani Sepaha, Advocates.



CORAM:
HON'BLE MS. JUSTICE CHANDRASEKHARAN SUDHA
JUDGMENT

CHANDRASEKHARAN SUDHA, J.

1. This is an appeal under Section 299 of the Indian Succession Act, 1925 (the ISA) read with Section 104 of the Code of Civil Procedure, 1908 (the CPC), filed by the legal heirs of the original petitioner, viz Jangli (Jangli), in MPC No. 21/2006 aggrieved by judgment dated 28.08.2004 of the Additional District Judge (Central), Delhi by which a Letter of Administration (LoA) granted in favour of the petitioner was revoked.

2. In this appeal, unless otherwise specified, the parties will be referred to as described in the original petition.

3. In the application under Section 263 of the ISA filed for revocation of the LoA, it was alleged thus:- A LoA was granted in favour of the original petitioner, Jangli in respect of agricultural land measuring 46 bighas 8 biswas comprising in Khasra nos.



2025:DHC:11092



48/2 (4-16), 3(4-16), 9(4-16), 147(0-05), 48/8/1 (3-0), 8/2 (1-16), 7(4-16), 4(4-16) totalling to 14 Bighas 8 Biswas and Khasra 52/18 (3-01), 22(4-16), 23(3-08), 53/2 (4-16), 3(3-13), 8(3-10), 12 (4-16) total 31 Bighas 07 Biswas and Khasra no. 505 (0-09) situated in revenue estate of the village Mamurpur, Delhi, being the estate of deceased Chandgi @ Chander Bhan S/o Maya Ram. Chandgi @ Chander Bhan was survived by his wife Chander Wati, and daughter Bimla. However, they were never impleaded as parties in the petition filed for getting the LoA. Chandgi @ Chander Bhan was not a bachelor, as was alleged by the petitioner in the proceedings. This can be ascertained from the revenue records and also from the decision of the Court of the Financial Commissioner, Delhi, in the order dated 28.03.1980 in case No.13/79-CA, in which Jangli and Chander Wati were the petitioners.

3.1 Out of the total land measuring 46 bighas 8 biswas, the present applicants/objectors and Inder Singh had purchased 45



2025:DHC:11092



bighas 16 biswas of land from Chander Wati, the widow of Chandgi @ Chander Bhan by way of four registered sale deeds, all dated 10.04.1981, individually executed for 11 bighas 9 biswas of land in favour of them as she was the owner/khatedar of the land in question. On 13.05.1981, the revenue department effected mutation in their names also. After the demise of Inder Singh, his share has been mutated in the names of his sons, namely, Daryao Singh and Joginder, that is, the applicant/ objectors no. 2 and 3. Thus, the present applicants/objectors have become the owners of total 45 bighas 16 biswas of land in question, out of which 31 bighas 7 biswas, situated in khasra no. 52 was sold by the applicants to third parties, and they continue to remain the owners of the remaining land measuring 14 bighas 9 biswas. The applicants/objectors had also obtained sanction on 04.03.1991 from the Municipal Corporation of Delhi to use a portion of land in question as farm house and the same has been assessed as such by



2025:DHC:11092



the house tax department of the MCD. They had also obtained an electricity connection in the name of the said land. Thereafter, acquisition proceedings were initiated by the Government of Delhi by Notification No.F-11 (6) 99/L&B/LA dated 02.05.2001 under Section 4 of the Land Acquisition Act, 1894, in respect of the land in question and Award no. 28/2003/2004 was passed on 17.02.2004 in favour of the applicants/objectors. After getting non-encumbrance certificate dated 27.09.2004 from the Tehsildar Narela, Delhi, when one of the applicants on 29.09.2004 went to the office of the Land Acquisition Collector, Kanjhawla, Delhi, to collect the cheques for the compensation amount accrued against the acquisition of a land, they were informed that Jangli, had obtained a LoA in respect of their land. Hence, the application seeking revocation of the LoA granted in favour of Jangli.

3.2 It was further alleged that Jangli had intentionally, wilfully, knowingly, fraudulently and deliberately filed an



2025:DHC:11092



incorrect schedule relating to the property as well as regarding the relatives of deceased Chandgi @ Chander Bhan to obtain a LoA in his favour. Chander Wati and Bimla, the legal heirs of Chandgi @ Chander Bhan, were deliberately not impleaded in the petition. It was falsely pleaded/alleged that Jangli was the sole legal heir of Chandgi @ Chander Bhan, who was alleged to have died a bachelor and issueless. Chander Wati is still surviving and is residing at her parental home, i.e., in Village Sirdhana, District Sonapat, Haryana. However, her daughter Bimla is no more. Jangli was well aware of the sale deeds executed by Chander Wati as he was the joint khatedar having one-half share of land in Khasra 48. Jangli had also sold his share in the year 1985 to third parties. As the LoA was obtained by Jangli on the basis of false submissions, the LoA *vide* order dated 26.04.2002 is liable to be revoked/annulled. Hence, the petition.

3.3 In the reply to the aforesaid application, Jangli filed



2025:DHC:11092



counter contending thus:- The applicants/objectors have no right, title or interest in the property for which the LoA has been granted by the Court in his favour. The applicants/objectors are not the legal heirs of Chandgi @ Chander Bhan. Chandgi @ Chander Bhan, had only one brother, i.e. Jangli and a sister named Kala Wati. Chandgi @ Chander Bhan was a bachelor, and he died issueless, and so his entire estate, both movable and immovable, was inherited by Jangli. The agricultural land left by the deceased is governed by the Delhi Land Reforms Act, 1954 (the DLR Act) and hence Jangli became the bhumidar of the same.

3.4 It was further contended that no marriage between Chandgi @ Chander Bhan and Chander Wati had ever taken place at any point in time. Bimla is not the daughter of Chandgi @ Chander Bhan. In fact, Chander Wati is the wife of Ram Phal, S/o Ram Singh, R/o village Sitawali, district Sonpath, Haryana. The marriage between Ram Phal and Chander Wati was solemnised in



2025:DHC:11092



the year 1968 as per Hindu rites and ceremonies, and as such, Chander Wati is the legally wedded wife of Ram Phal. The sale deeds dated 10.04.1981 relied on by the applicants/objectors are forged, fabricated and manipulated documents and have no legal consequence, and the same are not binding on Jangli. Chander Wati had never inherited the properties of Chandgi @ Chander Bhan and, therefore, she could not have executed the sale deeds in favour of the applicants/objectors. Jangli was the sole legal heir of his brother Chandgi @ Chander Bhan and therefore, the Court had rightly granted the LoA in his favour, which suffers from no infirmity. Hence, it was contended that the petition filed for revocation of the LoA was liable to be dismissed.

3.5 On completion of pleadings, necessary issues were raised by the trial court. The parties went to trial on the basis of the abovesaid pleadings. On behalf of the petitioner, PW-1 to PW-8 were examined, and exhibits PW-1/A, PW-2/A to PW-2/B, PW-



2025:DHC:11092



3/1 to PW-3/3, PW-4/1 to PW-4/2, PW-5/1 to PW-5/6, PW-6/1 to PW-6/2 and PW-7/X were marked. On behalf of the applicants/objectors, RW-1 to RW-11 were examined, and exhibits EX/OW1/1 to EX/OW/1/48 were marked. The trial court, on consideration of the oral and documentary evidence and after hearing both sides, held that the grant of LoA required revocation as it was found from the materials on record that there was in fact concealment of material facts and also non-joinder of necessary parties. Aggrieved, Jangli has come up in appeal.

3.6 Jangli, the original petitioner died during the pendency of the proceedings, and hence his legal heirs, namely, his wife and children, have been impleaded as the additional appellants.

4. It was submitted by the learned counsel for the petitioners that though the applicants/ objectors had cited Chander Wati and Ram Phal as witnesses in their witness list, no steps were taken to examine them for, which no reason(s) has been furnished. This is



2025:DHC:11092



one aspect that needs to be doubted. On the other hand, the petitioners have examined PW-1 to PW-8 and through their testimony and the documents produced, have proved that Chandra Wati @ Chandro was the daughter of Chandgi of Village Sardhana, Sonapat, Haryana and was married to Ram Phal. Though the petitioners had produced the necessary documents to substantiate their case and proved it through the officials of the departments concerned, the trial court ignored the same on the ground that the documents had been obtained under the RTI Act and that the same had not been proved. The fact that Chandra Wati @ Chandro was the daughter of Chandgi of Village Sardhana has been proved by the production of the voter list and the statement of Chandra Wati herself that she is residing at her parental house in Sardhana. On the other hand, the evidence let in by the applicants/ objectors is only hearsay evidence. The trial court went wrong in concluding that the materials on record



2025:DHC:11092



proved that Chandra Wati @ Chandro died in the year 1973. The trial court also went wrong in holding that Chandra Wati @ Chandro, W/o Chandgi and W/o Ramphal are not one and the same person, but different persons. Ram Phal, the husband of Chandra Wati had falsely given a declaration to the authorities concerned that his wife had died. The authorities concerned even without Ram Phal producing a death certificate, recorded in the service book of Ram Phal that his wife Chandra Wati was no more. It was also submitted that for argument sake, even if it is assumed that Chandra Wati @ Chandro was married to Chandgi, still the applicants/ objectors would derive no right to the land in question. The share of Chandgi @ Chander Bhan was supposed to have been mutated in the name of his wife Chandra Wati @ Chandro and their daughter Bimla. But Bimla died a minor and hence, in the light of Section 51(1) of the DLR Act, the latter's share devolved on the male descendent of her father, namely,



2025:DHC:11092



Jangli. Chandra Wati @ Chandro had no right to transfer the land in question in view of Sections 50 and 51(1) of the DLR Act and so the transaction is totally illegal. It was also pointed out that there was no valid divorce between Chandra Wati and Ram Phal and hence, the purported marriage of Chandra Wati with Chandgi @ Chander Bhan was a nullity. There has been no concealment or misrepresentation of facts by Jangli and, therefore, no grounds have been made out for revocation of the LoA, goes the argument.

5. *Per contra*, it was submitted by the learned counsel for respondents no. 2 to 4, i.e. the applicants/ objectors that Jangli played fraud by misleading the Court that his brother Chander Bhan died a bachelor and issueless, when he was in fact survived by his wife and daughter. It was falsely contended that Jangli and his sister Kala Wati were the only siblings of Chander Bhan. Further, LoA can be granted only in respect of the whole or any part of the estate of a deceased. However, in the case on hand,



2025:DHC:11092



when the application for grant of LoA was moved by Jangli, the deceased Chander Bhan, had no interest whatsoever left in the estate in respect of which the LoA was granted. Land measuring 45 bigha 11 biswa came to the share of Chandra Wati @ Chandro and her daughter Bimla. After the death of Bimla, her share reverted to her mother Chandra Wati. A portion of the property was sold by Chandra Wati to the applicants/ objectors. Jangli filed the petition for grant of LoA after 22 years of the death of his brother Chander Bhan, which in itself is a suspicious circumstance. Jangli, in support of his case, had produced very old khatoni of the year 1973-74, though the khatonis for the year 1977-78, 1984 and 2001 were available. The LoA was obtained by concealment of revenue records which would have shown the applicants'/ objectors' share in the property. The materials on record, conclusively prove that pursuant to the sale deeds being executed in favour of the applicants/ objectors, mutation had also been



2025:DHC:11092



effected in their favour, pursuant to which they had sold an extent of 31 bigha 07 biswas to one Jugal Batra and his three brothers, who in turn sold the property to M/s Vikram Impex (Private) Ltd. The said land was thereafter acquired as per Award No. 24/2002-2003. Compensation was assessed in the name of the vendees, who received the amount without any objection. Materials on record will clearly reveal that the LoA was obtained by Jangli by misrepresentation and concealment of facts and, therefore, the trial court was justified in revoking the grant of LoA. The impugned order suffers from no infirmity calling for an interference by this Court, submits the learned counsel for the applicants/ objectors.

6. I briefly refer to the evidence on record in this case. PW-1 is one of the grandsons of the original petitioner. However, a reading of the testimony of PW-1 would show that he has no direct knowledge about the transactions involved and that he has only hearsay knowledge about the same.



2025:DHC:11092



6.1 PW-2, Hawaldar, Records, Rajputana Rifles, Delhi Cantonment was examined to prove the service records of Ram Phal (Nayak) S/o Sh. Ram Singh, R/o Village Sitawali, Tehsil Sonapat, Haryana. PW-2 deposed that Ram Phal had retired on 28.02.1991. As per records, Ram Phal had nominated his wife, namely, Chandro who, as per the records, is stated to have died on 10.03.1973. PW-2 deposed that it was based on the declaration, namely, Ex. PW-2/B given by Ram Phal, the death of his wife had been recorded in his service records marked as PW-2/A. PW-2 further deposed that as per service records, Ram Phal had thereafter married one Nani and the said entry was effected in the records on 07.07.1976.

6.2 PW-3, ASI Rajbir Singh, S.P. Office, Sonapat was examined to prove the statement of witnesses that was recorded in the course of investigation conducted relating to a police complaint that was given by Jangli against Ram Phal and Chandra Wati. The



2025:DHC:11092



witness produced the statements of Ram Phal and Chandra Wati which was recorded by ASI, Gohana Police Station. Ram Phal is seen to have stated that he married Chandra Wati @ Chandro, daughter of Chandgi Ram, R/o Sardhana in the year 1968; that due to differences of opinion, they separated as per the decision of their relatives and Panchayat and thereafter he entered into a second marriage with one Nani D/o Matu Ram Jat, R/o Gumana. Ram Phal has further stated that his first wife Chandro thereafter married a person from Narela, who died and that Chandro is presently living in Village Sardhana. Chandra Wati @ Chandro, in her statement has stated that she is a resident of Village Sardhana and that she is receiving pension as widow of Chandgi @ Chander Bhan S/o Maya Ram, R/o Village Mamurpur, Nai Basi, Narela, Delhi. There is also the statement of Jangli Ram in which he states that he had filed an application to stop the pension of Chandro @ Chandra Wati, pursuant to which the pension was stopped. There



2025:DHC:11092



are also statements of the residents of Village Sardhana confirming that Chandro @ Chandra Wati D/o Chandgi was receiving widow pension as widow of Chandgi @ Chander Bhan. Among the statements produced, the statement of the Sarpanch of Village Sardhana is also seen in which he has stated that Chandro @ Chandra Wati, is a resident of his village and that she has been receiving pension as widow of Chandgi @ Chander Bhan. The report after investigation into the complaint of Jangli is also seen produced by the witness. In the said report, it is stated that the marriage of Chandra Wati was solemnized with Ram Phal in the year 1968 and that as per the decision of the Panchayat, they had divorced. Thereafter, Chandra Wati married Chander Bhan S/o Maya Ram, R/o Village Mamurpur Pana, Nai Basi, Narela, who died and that Chandra Wati is receiving widow pension.

6.3 PW-4, LDC, Office of Deputy Commissioner, Sonapat, Haryana was examined to prove the action taken report on the



2025:DHC:11092



complaint dated 17.07.2006 moved by Jangli. In the documents produced by the witness, it is seen that pursuant to the complaint, a report from the Social Welfare Officer, Sonapat was called for in the matter and as per their report Chandro @ Chandra Wati was receiving pension till the month of May 2006. Thereafter, the Department concerned stopped the pension from June 2006.

6.4 PW-5, Assistant Civil Registration, Office of Civil Surgeon Office, Sonapat, Haryana was examined to prove the entries in the birth and death register during the period from 1971 to 1976. He deposed that there is no entry in the name of Chandro @ Chandra Wati W/o Ram Phal, R/o Village Sitawali for the aforesaid period.

6.5 PW-6, an official of the District Election Office, Sonapat was examined to prove the voter list marked as Ex. PW-6/1 and PW-6/2. Entry no. 297 and 299, in the said voters list shows the name of Chandgi and Chandra Wati.



2025:DHC:11092



6.6 The testimony of PW-7, a resident of Village Sitawali does not in any way advance the case of the petitioners.

6.7 PW-8, Sarpanch of Village Sitawali till the year 1991 deposed that Ram Phal, an ex-army man is a resident of his village. He does not know the name of Ram Phal's wife though he knows that Ram Phal was married. However, PW-8 admitted that he had issued a certificate, which was marked 'X', in which it is stated that Ram Phal S/o Ram Singh, R/o Village Sitawali, Sonapat, Haryana is married to Chandro @ Chandra Wati D/o Sh. Chandgi R/o Village Sardhana, District Sonapat, Haryana in the year 1968.

7. Now coming to the evidence let in by the applicants/ objectors. RW-1, LDC, Office of Chief Election Commissioner, Kashmiri Gate, Delhi was examined to prove the voters list of the year 1980 of East Delhi Parliamentary Constituency. According to RW-1, as per the voters list of polling booth no. 176, Nai Basti, Mamurpur, Narela Delhi, the name of Jangli Ram S/o Maya Ram



is at serial no. 107. At serial no. 117, is Chandre S/o Maya Ram and at serial no. 118, is Chandro W/o Chandre. The voters list was marked as Ex. RW-1/OW1/48.

7.1 RW-2, Section Officer, Accounts, NDPL, Narela was discharged as he had not produced the documents that were required in the case.

7.2 RW-3, Sub-Registrar, Narela Zone was examined to prove the birth and death record of the year 1978. He deposed that as per records, entry no. 153 recorded on 13.06.1978 shows that a girl child named Bimla was born to Chander Bhan and Chander Wati on 05.06.1978. The address of the parents is – Nai Basti, Mamurpur, Narela, Delhi.

7.3 RW-4, UDC, Court of Financial Commissioner, Sham Nath Marg produced and proved the certified copies of the file relating to case no. 13/79-CA which was marked as Ex. RW4/OW1/45 to Ex. RW4/OW1/47. A perusal of the file shows



2025:DHC:11092



that in a revision filed under Sections 187 of the DLR Act, which was against the dismissal of a suit filed under Section 84 of the DLR Act, Jangli and his brother Chander Bhan were the petitioners. During the pendency of the proceedings, Chander Bhan died and on an application moved by Chander Wati, she was impleaded in the proceedings as the legal heir/representative of Chander Bhan *vide* order dated 17.02.1979.

7.4 RW-5 was examined to prove Ex. RW5/OW1/28, the sanction granted under Section 336 of the Delhi Municipal Corporation Act, 1957 to the applicants/objectors for construction of a farm house in Khasra No.2, 3, 4, 7, 8, 9/29, village Mahmoarpur, Delhi.

7.5 RW-6, Patwari, Record Room, Kanoongo Branch, Tehsil Building Tis Hazari, Delhi was examined to prove the khatoni record of khasra no. 48-2-3-9 and 147. The said document has been marked as Ex. OW1/1. The record of mutation relating to the



2025:DHC:11092



property has been marked as Ex. OW1/9. The records of khasra girdawari running into 17 sheets have been marked as Ex. OW1/17. RW-6 in his cross-examination deposed that the khatoni has been recorded in the name of Jangli. Khatoni of khasra nos. 48 (2, 3, 9) and khasra no. 147, 4, 7, 8/1, 8(2) for the year 1997-98, 1983-84 and 2000-01 have been recorded in the name of Jangli and Chander Bhan S/o Maya in equal shares for the period 1977-78. After the death of Chander Bhan, the khatoni was recorded in the name of Chander Wati, his widow and Bimla, his daughter in equal shares. Thereafter, Bimla died and hence the khatoni was recorded in the name of her mother Chander Wati. He also deposed that mutation in respect of the said property has also been effected.

7.6 RW-7, Patwari, Narela for the period from 2004 to 2006 deposed that khasra girdawari certificates 1/20 to 27 were issued by him. According to him, the land in dispute was in khasra no. 48



2025:DHC:11092



(2, 3, 9, 7, 4 and 8/1 and 8/2) that it was acquired by Award no. 28 of 2003-04. As per records, with effect from 02.01.2004, half of the aforesaid land stood mutated in the name of Jangli, S/o Maya Ram.

7.7 RW-8, Patwari, DC Office Kanjawala Land Acquisition Branch, who was directed to produce the record of Award no. 24 of 2003-04, deposed that there was no such Award for Village Mamurpur. However, he produced Award no. 28 of 2003-04, the certified copy of which has been marked as Ex. OW 1/40 to 43.

7.8 RW-9 deposed that as per sale deed dated 26.06.1989, he along with his three brothers had purchased land measuring 31 bighas 7 biswas comprised in khasra no. 52/18 (3-01) 22(4-16), 23(3-08), 53/2(4-16), 3(3-13), 8(3-10), 12(4-16) and 13(3-03) situated in the revenue estate of Mamurpur, Delhi from Inder Singh S/o Maha Singh. Thereafter, they sold the land to M/s Vikram Impex (Private) Ltd. by way of sale deed dated



2025:DHC:11092



19.05.2001, which land was thereafter acquired *vide* Award No. 24/2002-03, Mamurpur, Delhi. He further deposed that compensation was received by M/s Vikram Impex (Private) Ltd. from the Land Acquisition Collector, District North-West, Kanjhawala, Delh and that no objection had been raised by any one when compensation was disbursed to M/s Vikram Impex (Private) Ltd.

7.9 RW-10, Patwari, DC Office, Kanjhawala, LAC produced the file of Award no. 24/2002-03, Mamurpur. The certified copy has been marked as Ex. OW1/39.

7.10 Finally, RW-11, Sector Officer, NDPL, Narela deposed that electricity connection in khasra no. 48/2 has been given in the name of Daryao Singh S/o Inder Singh bearing K.No. 129581. The receipts regarding payment of electricity charges has been marked as Ex. RW11/A.

8. It is true, as pointed by the learned counsel for the



2025:DHC:11092



petitioners, that neither Chander Wati nor Ram Phal stated to be alive were examined by the applicants/objectors though they were arrayed as witnesses. However, the materials on record does raise doubts in the mind of this Court as to whether Chandgi @ Chander Bhan was actually a bachelor who died issueless as alleged by Jangli and his sister Kala Wati in the application moved for obtaining LoA. As per the service records of Ram Phal which have been produced and marked through PW-2, he is seen to have first married Chander Wati and thereafter, another lady named Nani. The birth and death register entries show no entry relating to the death of Chander Wati. Chander Wati continues to be alive. The records reveal that it was merely on the basis of a declaration given by Ram Phal, the authority concerned recorded in his service record that his first wife was no more. It is seen that Jangli had given a complaint to the authority concerned that though Chander Wati was married and continues to be the wife of Ram Phal, she



2025:DHC:11092



has been receiving pension claiming to be wife of Chander Bhan. It is seen pursuant to the complaint, the disbursement of pension to Chander Wati was stopped. It appears from the materials on record that Ram Phal had first married Chander Wati. Thereafter, they separated as per the decision of the Panchayat concerned. It is no doubt, true that the said “divorce” granted by the Panchayat concerned is no divorce in the eye of law. But thereafter, Ram Phal is seen to have married Nani. Chander Wati appears to have married Chander Bhan. Whether the marriage between Chander Wati and Ram Phal had been dissolved by a decree of the Court or whether the marriage between Chander Wati and Chander Bhan were valid in the eye of law are obviously not matters that were required to be considered by a probate court.

9. Another disturbing aspect that needs to be noticed is the year in which Jangli move for LoA. Admittedly, Chander Bhan died in the year 1979. However, the petition for LoA is seen filed



2025:DHC:11092



in the year 2001, which is about 22 years after the death of Chander Bhan. No explanation whatsoever is seen given for the inordinate delay in moving for LoA. It was pointed out by the learned counsel for the applicants/objectors that it was only when the land was acquired, a move was made by Jangli for the first time claiming to be the sole legal heir of his brother and moved the probate court and fraudulently managed to obtain a LoA in his favour by suppressing material facts. This argument is substantiated by the materials on record. The Section 4 notification for acquisition is seen dated 02.05.2001. Pursuant to the same, the land was acquired and Exhibit OW1/39 is the Award dated 17.02.2004 passed in respect of the said acquisition.

10. Further, Exhibits RW4/OW1/45 to RW4/OW1/47 produced from the Court of the Financial Commissioner indicate that after the death of Chander Bhan, it was Jangli and Chander Wati who were prosecuting the proceedings before the said court.



2025:DHC:11092



In the said proceedings when Chander Wati got herself impleaded as the legal heir/representative of Chander Bhan way back in the year 1979, Jangli never objected to the same. In such circumstances, he cannot be heard to contend that he never knew that Chander Wati was dealing with the share of the property that belonged to his brother Chander Bhan. If Jangli had a case that his brother, Chander Bhan had died a bachelor and issueless and that Chander Wati, a complete stranger was trying to meddle in the estate of his brother, he ought to have approached the civil court and obtained necessary relief. Instead, he seemed to have adopted the easier way of obtaining a LoA by not impleading the legal heirs of his brother Chander Bhan and by concealing facts. In such circumstances, I find that the trial court was justified in concluding, based on the materials on record, that the LoA had been obtained by concealing material facts. I find no infirmity in the impugned judgment calling for an interference by this Court.



11. In the result, the appeal *sans* merit is dismissed.

12. In view of the revocation of the LoA and the consequent absence of any subsisting right in the acquired land, the appellants/objectors can lay no claim to the compensation. The **LA.APP. 500/2015** shall also stand dismissed.

13. Application(s), if any, pending shall stand closed.

**CHANDRASEKHARAN SUDHA
(JUDGE)**

DECEMBER 10 , 2025
p'ma/kd/RN