



IN THE COURT OF DEPUTY COLLECTOR, DIU
U.T. ADMINISTRATION OF DAMAN & DIU, COLLECTORATE, DIU.

The Mamlatdar, Diu. Appellant

V/S

Shri Amratlal Karsan Bamania
R/o Kevdi,
Zolawadi, Diu Respondent

ORDER

1. **WHEREAS**, an Order was passed in proceeding of the case No. 82/2017/569 dated 23/05/2017, wherein an omission of a para after para No.7 on page No. 5 and an error in para No. 21 have been noticed, which needs to be rectified;

2. **AND WHEREAS**, the omitted para to be introduced in the order after para No.7 would read as follows:

“**7A. AND WHEREAS**, the area under the possession of the respondent as per the Para no.2 of the judgment dated 29/04/2016 by Civil Judge (Sr.Dn.), Diu Land, admeasuring 574 sq.mts. which is part of Survey No. 105/0 is the suit land in question in the current Suit”;

3. **AND WHEREAS**, the para No. 21 as corrected would read as follows:

“**NOW THEREFORE**, keeping the above facts, submissions and reasons in view, I, **Dr. Apurva Sharma, DANICS, Deputy Collector, Diu** in exercise of the powers conferred to me under section 40 of Goa, Daman and Diu, Land Revenue Code, 1968 do hereby order the eviction of the respondent & removal of the encroachment from Government Land admeasuring 574 sq.mts. which is part of Survey No. 105/0 (as mentioned in Para no. 2 of the Judgment dated 29/04/2016 by Civil Judge (Sr.Dn.), Diu) situated at **Kewadi, Bhucharwada, Diu** and also order that the cost of removal of the encroachment from the said Government Land and restoration of the Government Land shall be recovered from the

restoration of the Government Land shall be recovered from the respondent in the form of arrears of land revenue, and direct the Mamlatdar, Diu to do the needful immediately.”

4. AND WHEREAS, this office has issued Notice no. 82/2017/781 dated 09.06.2017 to Shri Amratlal Karsan Bamania, R/o Kevdi, Zolawadi, for personal hearing under Section 187 of Goa, Daman and Diu Land Revenue Code to allow the above mentioned corrections, and same was served through Talathi by hand;

5. AND WHEREAS, the respondent, neither remained present personally nor through duly authorized agent to present his say in the matter for personal hearings on 15.06.2017, 16.06.2017, 19.06.2017 and 20.06.2017;

6. AND WHEREAS, Section 187 of Goa, Daman & Diu Land Revenue Code reads as follows:

187. Correction of error or omission.— Any revenue officer by whom any order was passed in a case or proceeding may, either on his own motion or on the application of a party correct any error or omission not affecting a material part of the case or proceeding, after such notice to the parties as he may consider necessary.

7. AND WHEREAS, it is clear from the bare perusal of the above paragraphs to be inserted and corrected are permissible as per the provision of Section 187 of Goa, Daman and Diu Land Revenue Code since it does not affect a material part of the case or proceeding;

8. NOW THEREFORE, keeping the above facts and reasons in view, I, **Dr. Apurva Sharma, DANICS, Deputy Collector, Diu** in exercise of the powers conferred to me under section 187 of Goa, Daman and Diu, Land Revenue Code, 1968 do hereby order after paragraph 7, the following paragraph shall be inserted:

“7A. AND WHEREAS, the area under the possession of the respondent as per the Para no.2 of the judgment dated 29/04/2016 by Civil Judge (Sr.Dn.), Diu Land, admeasuring 574 sq.mts. which is part of Survey No. 105/0 is the suit land in question in the current Suit”;

Sharma
oldhoff

9. **AND** further order that the paragraph No. 21 is corrected and should be read as follows:

"21. NOW THEREFORE, keeping the above facts, submissions and reasons in view, I, **Dr. Apurva Sharma, DANICS, Deputy Collector, Diu** in exercise of the powers conferred to me under section 40 of Goa, Daman and Diu, Land Revenue Code, 1968 do hereby order the eviction of the respondent & removal of the encroachment from Government Land admeasuring 574 sq.mts. which is part of Survey No. 105/0 (as mentioned in Para no. 2 of the Judgment dated 29/04/2016 by Civil Judge (Sr.Dn.), Diu) situated at **Kewadi, Bhucharwada, Diu** and also order that the cost of removal of the encroachment from the said Government Land and restoration of the Government Land shall be recovered from the respondent in the form of arrears of land revenue, and direct the Mamlatdar, Diu to do the needful immediately."

Given under my hand and seal of this Court, dated this twentieth day of June, 2017.



Dr. Apurva Sharma
(DR. APURVA SHARMA, DANICS)
DY. COLLECTOR, DIU

To:-

1. The Mamlatdar, Diu for necessary action.
2. Shri Amratlal Karsan Bamanian, R/o Kevdi, for compliance.
- ✓ 3. NIC, Diu to upload it on the official website.
4. Guard File.

Copy to:

The Collector, Diu for information, please.

Dr. Apurva Sharma
(DR. APURVA SHARMA, DANICS)
DY. COLLECTOR, DIU