

A STATE OF ANDHRA PRADESH

v.

VALLURI VANRAJU

AUGUST 3, 1995

B [K. RAMASWAMY AND K.S. PARIPOORNAN, JJ.]

*Andhra Pradesh Land Reforms (Ceiling on Agricultural Holding) Act, 1973 :*

C *Standard holding—Exclusion of certain lands on the basis of Commissioner's report—Directions issued.*

D The respondent has submitted his declaration under Section 8(1) of the Andhra Pradesh Land Reforms (Ceiling on Agricultural Holdings) Act, 1973. The Land Reforms Officer held that the respondent's holding was in excess of 1.3590 standard Holding. On appeal, it was confirmed but in the revision the High Court allowed the exclusion of 3 acres 5 cents from the holding. Hence this appeal by State.

Partly allowing the appeal, this Court

E HELD : 1.1. On perusal of the Commissioner's report it could be seen that the lands in S.No. 118/1 situated in Alamuru village in an extent of 12 cents and 9 cents respectively should be excluded. Equally the lands in Mandapata bearing S.No. 178/3 in an extent of 6 cents and 3 cents respectively; lands in S.No. 174/1 in an extent of 4 cents; lands in S.No. 170/2 in an extent of 3 cents; lands in S.No. 227/4 in an extent of 2 cents and lands in S.No. 224/1 in an extent of 4 cents respectively need to be excluded. [493-D-E]

G 1.2. It is also reported by the Commissioner that in S.No. 469/3 and 469/4 lands in an extent of AC-1.58 cents was acquired in 1970 by the Government for the purpose of constructing houses for the weaker sections and that land was no longer within the holding of the respondent. All the above mentioned lands along stand excluded from his holding and the rest of the land are included in the holding of the respondent. [493-D-F]

H CIVIL APPELLATE JURISDICTION : Civil Appeal No.7398 of 1995.

From the Judgment and Order dated 6.4.87 of the Andhra Pradesh High Court in C.R.P. No. 770 of 1986. A

K. Ram Kumar, Ms. Asha Nair, N. Sridhar and T.V.S.N. Chari for the Appellant.

S.C. Birla for the Respondent. B

The following Order of the Court was delivered :

Leave granted.

The respondent has submitted his declaration under Section 8(1) of the Andhra Pradesh Land Reforms (Ceiling on Agricultural Holdings) Act, 1973. The Land Reforms Officer held that the respondent's holding was in excess of 1.3590 standard Holding. On appeal, it was confirmed but the High Court in revision, which by the impugned order allowed the exclusion of 3 acres 5 cents from the holding. The Advocate Commissioner has submitted his report and on perusal of the Commissioner's report it could be seen that the lands in S.No. 118/1 situated in Alamuru village in an extent of 12 cents and 9 cents respectively should be excluded. Equally the lands in Mandapata bearing S.No. 178/3 in an extent of 6 cents and 3 cents respectively; lands in S.No. 174/1 in an extent of 4 cents; lands in S.No. 170/2 in an extent of 3 cents; lands in S.No. 227/4 in an extent of 2 cents and lands in S.No. 224/1 in an extent of 4 cents respectively need to be excluded. It is also reported by the Commissioner that in S.No. 469/3 and 469/4 lands in an extent of AC-1.58 cents was acquired in 1970 by the Government for the purpose of constructing houses for the weaker sections and that land was no longer within the holding of the respondent. All these lands alone stand excluded from his holding and the rest of the land are included in the holding of the respondent. C  
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The appeal is allowed to the above extent. No costs.

G.N.

Appeal allowed.