

<p><strong>Parties Involved:</strong></p>

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<li>The plaintiffs: adjoining colliery owners at Kujama</li>

<li>The defendants: adjoining colliery owners at Kujama, who had allegedly encroached upon the plaintiffs' coal land</li>

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<p><strong>Facts:</strong></p>

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<li>On August 2, 1894, the Raja of Jharia granted a mukarrari lease of coal and coal mining rights in 300 bighas to the defendants.</li>

<li>The defendants denied encroaching upon the plaintiffs' coal land and claimed that the suit was barred by limitations.</li>

<li>The suit alleged that the defendants had encroached upon the plaintiffs' coal land and removed coal from it, which allegedly took place in or about the year 1932.</li>

<li>The plaintiffs claimed that the encroachment was prior to 1932 and that the coal left in the encroached area was entirely lost to them due to being rendered unworkable.</li>

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<p><strong>Evidence:</strong></p>

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<li>Maps annexed to the lease deeds, which showed the boundary line between the two leaseholds and the defendants' leasehold.</li>

<li>Evidence of a witness who stated that he had no knowledge of the encroachment before it took place.</li>

<li>Evidence of the defendant, which showed that the encroachment was prior to 1932.</li>

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<p><strong>Arguments:</strong></p>

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<li>The plaintiffs argued that the defendants had encroached upon their coal land and removed coal from it, which was allegedly prior to 1932.</li>

<li>The defendants argued that the suit was barred by limitations and that they had not encroached upon the plaintiffs' coal land.</li>

<li>The plaintiffs argued that the burden of proof was on them to establish that the suit was within time, and that the defendants had failed to prove that the knowledge of the encroachment was within three years of the suit.</li>

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<p><strong>Conclusions:</strong></p>

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<li>The court found that the defendants had encroached upon the plaintiffs' coal land and removed coal from it, which was prior to 1932.</li>

<li>The court held that the suit was not barred by limitations and that the plaintiffs had established their right to the coal land.</li>

<li>The court also held that the coal left in the encroached area was entirely lost to the plaintiffs due to being rendered unworkable.</li>

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