

Effect of
settlement of
boundary.

138. (1) The settlement of a boundary under any of the foregoing provisions of this Chapter shall be determinative—

(a) of the proper position of the boundary line or boundary marks, and

(b) of the rights of the landholders on either side of the boundary fixed in respect of the land adjudged to appertain, or not to appertain, to their respective holdings.

(2) Where a boundary has been settled as aforesaid the Collector may at any time summarily evict any land holder who is wrongfully in possession of any land which has been adjudged in the settlement of a boundary not to appertain to his holding or to the holding of any person through or under whom he claims.

(3) An order of ejectment under sub-section (2) shall, subject to the provisions of sub-sections (4) and (5), be subject to appeal and revision in accordance with the provisions of this Code.

(4) Where any person has been ejected or is about to be ejected from any land under the provisions of sub-section (2), he may, within a period of one year from the date of the ejectment or the settlement of the boundary, institute a civil suit to establish his title thereto :

Provided that, the State Government or the Collector, or any Revenue or Survey Officer as such, shall not be made a party to such suit.

(5) Where a civil suit has been instituted under sub-section (4) against any order of ejectment, such order shall not be subject to appeal or revision.

(6) The Collector may at any time make an order for redistribution of land revenue which, in his opinion, should be made as a result of the decision of the appeal or revision, or as the case may be, the suit, and such redistribution shall take effect from the beginning of the revenue year following the date of the order.

Construction
and repairs
of boundary
marks of
survey
numbers and
villages, etc.

139. (1) It shall be lawful for any Survey Officer authorised by a Superintendent of Land Records, or Settlement Officer, to specify or cause to be constructed, laid out, maintained or repaired boundary marks and survey marks of villages or survey numbers or sub-divisions of survey numbers, whether cultivated or uncultivated and to assess all charges incurred thereby on the holders or others having an interest therein.

(2) Such officer may by notice in writing require landholders to construct, lay-out, maintain or repair within a specified time, the boundary marks or survey marks of their respective survey numbers or sub-divisions ; and on their failure to do so the Survey Officer shall construct, lay-out or repair them and assess all charges incurred thereby as hereinbefore provided.

(3) The boundary marks and survey marks shall be of such description and shall be constructed, laid out, maintained or repaired in such manner and shall be of such dimensions and materials as may, subject to rules made by the State Government in this behalf, be determined by the Superintendent of Land Records, according to the requirement of soil, climate, durability and cheapness of materials.