# Legal Case Summary: Board of Revenue for Rajasthan, Ajmer & Others vs Rao Bal Deo Singh & Others (1967)

Case Title: Board of Revenue for Rajasthan, Ajmer & Others vs Rao Bal Deo Singh & Others

Citation: 1968 AIR 898, 1968 SCR (2) 661, AIR 1968 Supreme Court 898

Court: Supreme Court of India

Date of Judgment: 14 December 1967

Bench: Justice V. Ramaswami, Justice J.C. Shah, Justice Vishishtha Bhargava

## Facts of the Case:

- Respondent, a Jagirdar, claimed certain agricultural lands as his Khudkhasht land after resumption of jagir under the Rajasthan Land Reforms and Resumption of Jagirs Act, 1952.  
- Divisional Commissioner accepted the claim, but the Board of Revenue remanded the matter for inquiry by the Jagir Commissioner.  
- Jagir Commissioner held the land to be personal property, but the State appealed.  
- The Board of Revenue again directed further inquiry following Jagir Rules.  
- Respondent filed a writ petition in the High Court, which quashed the Board's orders.  
- The State appealed to the Supreme Court.

## Procedural History:

- Divisional Commissioner ruled in favor of respondent.  
- Board of Revenue remanded for Jagir Commissioner’s decision.  
- Jagir Commissioner ruled for respondent; State appealed.  
- Board of Revenue again remanded for compliance with Jagir Rules.  
- High Court quashed Board’s orders; State appealed to the Supreme Court.

## Issues before the Court:

1. Whether determination of Khudkhasht land falls exclusively under Jagir Commissioner's jurisdiction under Section 23(2) of the Act.  
2. Whether the Board was right in remanding the case for inquiry under the prescribed Jagir Rules.  
3. Whether the High Court erred in applying procedures of the Rajasthan Land Revenue Act, 1956.

## Judgment:

- Supreme Court allowed the appeal.  
- High Court’s judgment was set aside.  
- Board of Revenue’s orders reinstated.  
- Matter to be decided by the Jagir Commissioner as per proper procedure.

## Key Legal Findings:

1. Exclusive Jurisdiction: Jagir Commissioner alone can decide Khudkhasht land matters under Section 23.  
2. Special vs General Law: Special Act (Jagirs Act) overrides the Rajasthan Land Revenue Act.  
3. Procedure Compliance: Jagir Rules like notice period, public notice, and inquiry procedure must be followed.  
4. Error by High Court: High Court wrongly assumed jurisdiction under the Land Revenue Act.

## Final Decision:

✅ Appeal allowed  
✅ Rajasthan High Court’s judgment quashed  
✅ Board of Revenue orders restored  
✅ Jagir Commissioner to conduct inquiry per statutory rules  
✅ No order as to costs