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GOVERNMENT OF KARNATAKA

No. RD 371 LRM 76

Karnataka Government Secretariat,
Vidhana Soudha
Bangalore, dated: 1st June 1976

CIRCULAR

P
2/7/76
LR 7
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Sub:- Tenanted lands vested in Government
U/s 44 of Land Reforms Act -
disposal of cases on merits - in
Tribunals.

2264975/76
It has been brought to the notice of Govt. that

applications from tenants in certain Tribunals have been rejected on the ground that they had already entered into agreements to purchase the lands from the landlord and that they had become owners of the land under such agreements and their applications are not maintainable.

2. In this connection, it should be noted that under the Transfer of Property Act, the transfer of immovable property is complete only when there is a registered instrument evidencing the transfer, such as, sale, gift, or mortgage, etc. and that even if consideration has passed and possession also given to the transferee in anticipation of the registration of document, the transferee does not get a valid title. Hence in such cases, the tribunal should ignore the agreement for sale and proceed to dispose of the case on merits, under the provisions of the amended Land Reforms Act.

S. R. Sakhare
(S. R. SAKHARE)

Asst. Spl. Officer for L.R. & Ex-Officio
Under Secy. to Govt. Revenue Department

To
All the Divisional Commissioners
All the Deputy Commissioners/Spl. Deputy Commissioners.
All the Asst. Commrs/Spl. Asst. Commrs/Addl. Spl. Asst. Commissioners.
All the Tahsildars/Special Tahsildars (Land Reforms)
The Circular Book
The Stock File