

Estates Partition Act, 1897

Section 5 - Substituted by the Orissa Estates Abolition

Amendment) Act, 1954 (Orissa Act XVII of 1954) s. 2, (i) Explanation III In relation to merged territories estate as defined in this clause shall also include any mahal or village or collection of more than one such mahal or village held by or vested in an intermediary which has been or is liable to be assessed as one unit to land revenue where such land revenue be payable or has been released or compounds for or redeemed in whole in part. 1 [(h) Intermediary with reference to any estate means a proprietor, sub- proprietor, landlord, land holder, malguzar, thikadar, gaontia, tenureholder, under-tenure holder and includes an inamdar, a jagirdar, Zamindar, Illaquedar, Khorposhdar, Parganadar, Sarbarakar and Maufidar including the ruler of an Indian State merged with the State of Orissa and all other holders or owners of interest in land between the raiyat and the State; Explanation I Any two or more Intermediaries holding a joint interest in an estate which is borne either on the revenue roll or on the rent roll of another Intermediary shall be deemed to be one Intermediary for the purposes of this Act; Explanation II The heirs and successors-in-interest of an Intermediary and where an Intermediary is a minor or of unsound mind or an idiot, his guardian, Committee or other legal curator shall be deemed to be an Intermediary for the purposes of this Act. All acts done by an Intermediary under this Act shall be deemed to have been done by his heirs and successors-in-interest and shall be binding on them]; 2 [(hh) Intermediary interest means an estate or any rights or interest therein held or owned by or vested in an Intermediary and any reference to estate in this Act shall be construed as including a reference to Intermediary Interest also]; (i) Homestead means a dwelling house used by the Intermediary for the purposes of his own residence or for the purposes of letting out on rent together with any Courtyard, compound, garden, orchard and out-buildings attached thereto and includes any tank, library and place of worship appertaining to such dwelling house but does not include any building comprised in such estate and used primarily as office or kutchery for the administration of the estate on and from the 1st day of January,