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S. 937.

*Illustration.*—*A has settled on a piece of waste land and has received from the Land Officer a bai-yieb-yam for that piece of land. B unlawfully takes possession of part of that piece of land. A applies to the Court, under section 99, and judgment is given in his favour against B.*

*After some time it becomes apparent that the piece of land is larger than A is able to cultivate. In consequence a land certificate is granted to A for part only of the piece of land, excluding the very part of which B had unlawfully taken possession. Nothing in the judgment prevents the State from granting that part to I, or from deciding that such part shall henceforth be considered as land reserved for the use of the State.*

*As such waste land cannot be acquired by way of usucapion, the fact that A has possessed it during ten years or more would likewise not prevent the State from reducing the area of that piece when a land certificate shall be granted or even from refusing altogether to grant a land certificate to A.*

108. — As regards immovables, possession can never be set up against the registered owner except by a hostile possessor who, having completed usucapion, has the right to claim registration as owner.

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