

In the High Court of Punjab and Haryana at Chandigarh

CWP No.8061 of 2003

Date of decision: 16.2.2015

Satbir Singh and another

.....petitioners

versus

Commissioner Rohtak Divn.Rohtak and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

Present: Mr.Vikram Singh, Advocate,
for the petitioners

Mr.R.K.S.Brar, Addl.A.G.Haryana.

Mr.Harkesh Manuja, Advocate,
for respondent No.4-Gram Panchayat.

Raj Mohan Singh, J.

Brief facts of the case are that petitioners are the beneficiaries of Civil Court decree dated 25.8.1982 suffered by original owners Munga and Jella sons of Bujan. According to jamabandi for the year 1941-42, the land was shown to be *shamlat deh hasab rasab khewat*. Bujan was shown to be *hissedar* in individual cultivating possession. The land was shown to be *badami* and *bajar badami*. In the jamabandi for the year 1961-62, the same entry continued in column of ownership. In the column of cultivation, khudkhast of Munga, Jella and Chandarpati (daughter of bujan) came as well as cultivation of *maqbooja hissdar*. Nature of land was shown to be *banjar kadami thoor*. According to *shajra nasab*, Bujan was son of Sukhya. Munga, Jella and Chandarpati were shown in

the line of inheritance. Petitioners stepped into the shoes of original owners and filed suit under Section 13 of the Act for declaration of their title. Assistant Collector, 1st Grade dismissed the same vide order dated 30.4.1999 and the said order was upheld by the Collector and Commissioner vide orders dated 8.1.2002 and 14.11.2002 respectively.

The controversy involved in this writ petition has been set at rest by way of a separate order passed today in CWP No. 7860 of 2003, titled as **Karma vs. Commissioner Rohtak Division, Rohtak and others**. For the reasons assigned in **Karma's case (supra)**, the instant writ petition is also allowed in same terms. Therefore, for orders see CWP No. 7860 of 2003.

(SURYA KANT)
JUDGE

(RAJ MOHAN SINGH)
JUDGE

February 16, 2015

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