

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.1215 of 2015

Date of Decision:- 19.11.2015.

Major Singh

.....Petitioner

Versus

The Direcot, Land Records, Punjab, Jalandhar and others

.....Respondent

**CORAM: HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE HARI PAL VERMA**

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Ms. Naiya Gill, Advocate for the petitioner.

Mr. Rajesh Bhardwaj, Additional A.G. Punjab.

Mr. S.S. Salar, Advocate for respondent No.2.

SURYA KANT, J. (ORAL)

1.) The petitioner assails the order dated 5.11.2014 passed by Director Land Records, Punjab in purported exercise of his powers under Section 42 of the East Punjab Holdings (Consolidation and Fragmentation) Act, 1948. The grievance of the petitioner is that land measuring three *biswas* was allotted to him as a *Khall* and vide the impugned order, that allotment has been changed behind his back.

2.) Learned counsel for the contesting respondents, however,

contends that no such allotment was made in favour of the petitioner.

3.) In our considered view, the question whether any allotment was made to the petitioner of land measuring three *biswas* as *khall* is essentially a factual issue which can be determined by the authorities after hearing him as well as other interested persons. Consequently and without expressing any views on merits, the writ petition is allowed. The impugned order dated 5.11.2014 passed by Director Land Records is set aside with a further direction to that authority to decide the petition filed by respondent No.3 afresh, after hearing the petitioner as well as other persons likely to be affected. Let the needful be done as early as possible and preferably within a period of four months from the date of receipt of certified copy of this order.

4.) The parties are directed to appear before the Director, Land Records-respondent No.1 on 21.12.2015.

(SURYA KANT)
JUDGE

(HARI PAL VERMA)
JUDGE

November 19, 2015.

sandeep sethi