

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

Civil Writ Petition No.14906 of 2015
Date of Decision: 24.7.2015

Satpal Chaudhary

..Petitioner

versus

Director, Land Records, Punjab Consolidation Office, Kapurthala
Road, Jalandhar and another

..Respondents

CORAM: HON'BLE MR JUSTICE RAJIVE BHALLA
HON'BLE MR JUSTICE AMOL RATTAN SINGH

Present: Mr. Harsh Bunger, Advocate, for the petitioner.

RAJIVE BHALLA, J. (ORAL)

The petitioner prays for issuance of a writ of certiorari quashing order dated 15.10.2014 (Annexure P-12), passed by the Director, Land Records, Punjab.

Counsel for the petitioner submits that though the Director, Land Records, Punjab, has recorded a finding that there is an error in consolidation proceedings, he has dismissed the petition, filed under Section 42 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948, by holding that the question of title has been decided upto the Hon'ble High Court. Counsel for the petitioner further submits that as the judgment and decree, affirmed in RSA No. 3230 of 2006, is based upon incorrect revenue entries, recorded during consolidation, the judgments and decrees, were not binding upon the Director, Land Records, exercising power under the Consolidation Act.

We have heard counsel for the petitioner and perused the impugned order.

Admittedly, in an inter parties suit, the private respondents have been declared owners of the land in dispute and with dismissal of RSA No.3230 of 2006, their ownership has been affirmed. The Director, Land Records can not sit in judgment over a civil court decree deciding a question of title. The petitioner's attempt to subvert the civil court decree by seeking correction of the revenue record was not maintainable and was, therefore, rightly rejected by the Director, Land Records. We find no reason to interfere with the impugned order.

At this stage, counsel for the petitioner prays that the petitioner may be permitted to avail such other remedy as may be available to him, in accordance with law.

Dismissed with the liberty, as prayed.

(RAJIVE BHALLA)
JUDGE

(AMOL RATTAN SINGH)
JUDGE

24.7.2015
VK