

In the High Court of Punjab and Haryana at Chandigarh

CWP No. 16714 of 2015

Date of Decision: August 13, 2015

Ved Kaur and another

... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

Present: Mr. D.S. Bali, Sr. Advocate with
Mr. Salil Bali and Mr. Parveen Jain, Advocates,
for the petitioners.

Paramjeet Singh, J. (Oral)

Instant writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari quashing of orders dated 20.01.2011 (Annexure P/3), 14.09.2012 (Annexure P/4), 18.10.2012 (Annexure P/5) and 25.10.2012 (Annexure P/6) passed by respondent no.2 – Assistant Collector Ist Grade, Beri, District Jhajjar.

Learned senior counsel for the petitioners contends that application for partition has been filed by respondent Nos. 4 to 10 against dead person i.e. Jagdev Singh son of Dhanpal. Parentage of Jagdev Singh

“Jagdev Singh son of Diwan Singh”.

It is settled principle of law that any proceedings against a dead person are nullity. In the present case, death certificate of Jagdev Singh son of Dhanpal has been placed on record as Annexure P/2 wherein his date of death is mentioned as 20.05.2005 and the same was registered in the Register of Births and Deaths on 30.08.2006. This Court cannot appreciate the entire proceedings and alleged death of Jagdev Singh in writ jurisdiction. The same can only be appreciated by the Assistant Collector Ist Grade, Beri and the other appellate or revisional authorities in hierarchy, as per provisions of the Punjab Land Revenue Act (applicable to Haryana).

The writ petition is disposed of with the observation that the petitioners will be at liberty to agitate those facts before the Assistant Collector Ist Grade, Beri, who shall decide the same in accordance with law.

August 13, 2015
vkd

[Paramjeet Singh]
Judge