

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.17430 of 2015

Date of Decision: August 21, 2015

Jasmer Singh and others

.....Petitioners

versus

Director Land Records, Punjab, Jalandhar and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE JASPAL SINGH.

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

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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?*

Surya Kant, J. (Oral)

The petitioners are residents of village Rangian, Tehsil Rajpura, District Patiala. Apprehending their dispossession from the suit land purportedly in furtherance of an order passed by the Director Consolidations way back on 11.03.1964, the petitioners have invoked the jurisdiction of the Director Land Records under Section 42 of the East Punjab (Consolidation and Prevention of Fragmentation) Act, 1948. They moved an application praying for stay of operation of the order dated 11.03.1964 as an interim measure. That application was declined by the Director Land Records observing that no reason has been assigned to grant such stay.

The petitioners who are still apprehensive of their dispossession have filed the instant writ petition.

Heard learned counsel for the petitioners.

It may be true that the Authority rightly declined to stay the operation of order dated 11.03.1964 but that does not mean that the petitioners' prayer to protect their possession is deemed to have been declined. Suffice to observe that if the petitioners can make out a prima-facie case for the stay of their dis-possession with or without any condition, the Authority would consider their such prayer. We thus dispose of this writ petition without expressing any views on merits, with liberty to the petitioners to move an application for ad-interim protection of their possession before the Director, Land Records who shall then decide the same after hearing both the parties, as early as possible but not later than 15 days from the date of filing such an application.

Ordered accordingly.

Dasti during the course of day.

[SURYA KANT]
JUDGE

August 21, 2015
mohinder

[JASPAL SINGH]
JUDGE