

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Civil Writ Petition No.22172 of 2014

Date of decision: 14.01.2015

Joginder Singh son of Shri Krishan Singh, resident of Village Jhal Thikriwala, Post Office Khukharian, Tehsil and District Kapurthala, and another.

... Petitioners

versus

State of Punjab through the Financial Commissioner (Revenue), Punjab Civil Secretariat, Chandigarh, and others.

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. R.K. Chopra, Senior Advocate,
with Mr. Pawan Kumar, Advocate,
for the petitioners.

1. Whether reporters of local papers may be allowed to see the judgment ? No.
2. To be referred to the reporters or not ? No.
3. Whether the judgment should be reported in the digest ? No.

K.Kannan, J. (Oral)

1. The learned senior counsel appearing on behalf of the petitioners would submit that there is a request made to the Collector for transfer of the property and issue a certificate therefor under the Nazool Land (Transfer) Rules, 1956 on the basis of alleged allotment said to have been made in favour of the grandfather in the year 1966. The order of the Commissioner under the PP Act confirms the position that a transfer is possible only by the Collector and an Assistant Collector will not be competent. The counsel states

that the petitioners' representation to the Collector for consideration of transfer has still not been considered. The representation said to have been given under Annexure P9 shall be considered and an appropriate order passed within a period of 4 weeks from the date of receipt of copy of this order. The order under PP Act will abide by the decision of whether the petitioners are entitled to transfer of the property, for, that would also consequently conclude the issue of whether the petitioners' possession of the property could be justified or not.

2. The writ petition is disposed of as above.

(K.KANNAN)
JUDGE

14.01.2015
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