

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

**L.P.A.No.1487 of 2015(O&M)
Date of Order: 20.11.2015**

Mitt Pal Singh and others

..Appellants

Versus

State of Punjab and others

..Respondents

**CORAM: HON'BLE MR. JUSTICE RAJIVE BHALLA
HON'BLE MS. JUSTICE REKHA MITTAL**

**Present: Mr. Mitt Pal Singh, appellant in person,
for himself and on behalf of all the appellants.**

RAJIVE BHALLA, J (Oral)

C.M.No.3200-LPA of 2015

Prayer in this application is to condone delay of 58 days
in filing the appeal.

Heard.

For reasons stated in the application, the arguments
addressed and as sufficient cause has been shown, the application is
allowed and delay of 58 days in filing the appeal, is condoned.

L.P.A.No.1487 of 2015

The appellants, pray that order dated 26.05.2015,
dismissing their writ petition, may be set aside.

Mitt Pal Singh, the appellant, who has addressed
arguments, in person, submits that he is owner in possession of a

part of land bearing Khewat No.204, Khasra nos. 4732, 4733 and 4734, purchased pursuant to a sale deed. The land purchased by the appellant was duly demarcated but when an application for demarcation, dated 28.08.2012 was forwarded to the Tehsildar, Bathinda, he refused to conduct demarcation for want of the "Naksha Aks"(Akshajra). In the meanwhile, Buta Singh son of Hazura Singh sold 3 bighas 10 biswas land out of the aforesaid khasra numbers to Harpal son of Inderjeet Singh and others and sold $17/56\frac{1}{4}$ share to Vikas Kumar son of Krishan Dev son of Amarnath, $19\frac{1}{2}/56\frac{1}{4}$ share to Preeti Gupta d/o Yashpal d/o Kasturi Lal, $19\frac{3}{4}/56\frac{1}{2}$ share to Neelam wife of Vijay Kumar daughter of Chiranji Lal, 30/100 share to Kishan Dev son of Amar Nath son of Narain Mal, 70/100 share to Bhushan Kumar son of Chiranji Lal son of Narain Dass, $9\frac{3}{4}/70$ share to Amarjit Singh son of Mohar Singh son of Bishan Singh (2/70) share, through his power of attorney but without any demarcation. The appellant Mitt Pal Singh, prays that these illegal transactions reflected in the sale deeds may be cancelled.

We have heard the appellant and find no reason to entertain the appeal much less to hold that the order dismissing the writ petition in any manner incorrect.

From a perusal of the averments in the appeal and the writ petition and consideration of arguments addressed, it appears that the appellants have purchased, a share out of khasra Nos.4732, 4733 and 4734 from one or some of the co-sharers. The other co-sharers have sold land to persons referred to in the preceding paragraph by reference to share holdings. The parties are, therefore,

co-sharers. The appellant's grievance that the sale deeds be declared null and void or the land be demarcated, is a matter to be raised before a civil court. The writ petition was, therefore, rightly dismissed by relegating the appellants to the filing of a civil suit.

Consequently, finding no merit, the appeal is dismissed.

(RAJIVE BHALLA)
JUDGE

November 20, 2015
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(REKHA MITTAL)
JUDGE