

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

CWP No. 6703 of 2016
Date of decision: 08.04.2016

Tapinderjeet Kaur

....Petitioner

Versus

State of Punjab and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH
DHALIWAL**

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

Paramjeet Singh Dhaliwal, J. (Oral)

The instant petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ of mandamus, directing respondents to make necessary correction in the revenue record by cancelling the mutation No. 1719 (Annexure P-2), vide which the land of the petitioner has wrongly been entered in the name of respondents No. 4 to 6

Learned counsel for the petitioner contends that the petitioner moved an application for demarcation of her land before the Tehsildar but the same has been declined on the ground that red stone on the stone line is not available. Merely on this ground, application for demarcation cannot be declined. He further submits that the Financial Commissioner, Punjab has issued instructions regarding demarcation which are contained in Volume I, Chapter 1 Part M of the Punjab & Haryana High Court Rules and Orders. In view of said instructions, if no map is available, the measurement can be done by finding three points on different sides of the place in

dispute, as near to it within 200 kadamas.

Having heard learned counsel for the petitioner and after perusing the paper-book, however, without commenting on merits of the case, instant petition is disposed of, without issuing notice to the respondents, with liberty to the petitioner to file fresh application for demarcation, accompanied by relevant *jamabandi*, mentioning *khasra* number for which the demarcation is sought and respondent No. 3-Tehsildar (East), Ludhiana merely by saying that there is no red stone cannot deny the demarcation and shall take a decision on the application, in accordance with law, within a period of four months from the date of receipt of certified copy of this order.

08.04.2016

PA

(Paramjeet Singh Dhaliwal)
Judge