

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

CWP No. 8335 of 2016
Date of decision: 03.05.2016

Surjeet Singh

....Petitioners

Versus

Financial Commissioner, Haryana & others

....Respondents

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

Present: Mr. P.S. Jammu, Advocate,
for the petitioners.

Paramjeet Singh Dhaliwal, J. (Oral)

The 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 for setting aside the impugned order dated 11.03.2002 (Annexure P-1) passed by respondent No.4- Asstt. Collector 1st Grade, Fatehabad, impugned order dated 24.06.2003 (Annexure P-2) passed by respondent No. 3- Collector, Fatehabad, impugned order dated 03.03.2009 (Annexure P-3) passed by respondent No.2- Commissioner, Hisar Division, Hisar and impugned order dated 02.02.2016 (Annexure P-4) passed by respondent No.1- Financial Commissioner, Haryana.

I have heard learned counsel for the parties and perused the record.

The learned counsel for the petitioner has failed to bring

on record any evidence in the shape of *khasra girdawari* etc that the land is being cultivated continuously rather the revenue record is against the petitioner. The finding of fact has been recorded that the land in question has turned *banjar kadim* and the petitioner is not cultivating the same. The concurrent findings of fact have been recorded by the authority. There is a specific provision under Section 9 of the Punjab Security of Land Tenures Act, 1953 that if a land is not continuously cultivated then eviction can be ordered. The land has turned *banjar* due to the acts of the petitioner, which is a sufficient ground for his eviction.

In view of above no ground is made out for interference in the impugned orders.

Dismissed.

03.05.2016

PA

(Paramjeet Singh Dhaliwal)
Judge