

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 19300 of 2016 (O&M)
Date of decision: 26.4.2017

Ramdhan

.. Petitioner

v.

Financial Commissioner and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. S. S. Mor, Advocate for the petitioner.

...

Rajesh Bindal J.

The petitioner has filed the present petition challenging the orders passed by the authorities below, whereby the suit filed by his brother-Albel Singh under Section 13-A of the Punjab Village Common Lands (Regulation) Act, 1961 (for short, 'the Act') seeking declaration that he and proforma defendants are owners in possession of the suit land, has been dismissed as not maintainable. The suit has been dismissed merely on the ground that such a jurisdiction is not vested in the Collector under the provisions of the Act. In support, a Division Bench judgment of this Court in Chhankar Singh v. Joint Development Commissioner, 1998(3) RCR (Civil) 704 was referred. Section 13-A of the Act vests jurisdiction only to examine whether the land is vested in the Gram Panchayat.

In view of the law laid down by this court in the aforesaid

judgment, there is no error in the orders passed by the authorities below

holding that the suit filed by brother of the petitioner was not competent.

The petition is, accordingly, dismissed.

(Rajesh Bindal)
Judge

(Harinder Singh Sidhu)
Judge

26.4.2017
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No