

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 19891 of 2016 (O&M)

Date of Decision: 24.04.2017

Hukam Chand Nagwan

.....Petitioner

Versus

The State of Haryana and another

.....Respondents

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

Present: Mr. R.K. Verma, Advocate
for the petitioner.

RAJESH BINDAL,J.

The petitioner has approached this Court challenging the order dated 27.02.2015 passed by the Commissioner Rohtak Division, Rohtak, under Section 42 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 (for short 'the Act'). The consolidation had taken place in the year 1963-64. Petitioner herein was allotted share in terms of his share recorded in the revenue record at the relevant time. The case sought to be set up by the petitioner before the Commissioner was that his share should have been recorded as $\frac{1}{2}$ share of land measuring 45 Bigha, 14 Biswas, whereas it was wrongly recorded as $\frac{1}{16}$ th share. Hence, he was entitled to be allotted land equivalent to $\frac{1}{2}$ share. The application filed 50 years after the consolidation had taken place was dismissed on the ground that the authorities under the Act had no power to make any correction in the revenue record.

Keeping in view the aforesaid facts on record, we do not find that any error has been committed by the Commissioner in rejecting the

application filed by the petitioner. The allotment of the land at the time of

consolidation is in terms of the shares of the land owners existing in the revenue record prior to the consolidation. It is only that small small holdings are consolidated providing them proper passage or access to water course.

For the reasons mentioned above, we do not find any merit in the present petition and the same is hereby dismissed.

(RAJESH BINDAL)
JUDGE

(HARINDER SINGH SIDHU)
JUDGE

24.04.2017
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Whether speaking/reasoned	√ Yes/No
Whether Reportable:	Yes/No