

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CWP No.2929 of 2014 (O&M)
Date of decision: August 10, 2017

Mahesh Kumar ...Petitioner

Versus

State of Haryana and others ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. B.S. Bairagi, Advocate for the petitioner.
Mr. Rohit Arya, AAG, Haryana.
Mr. Sumeet Sheokand, Advocate for respondents No.5 to 11.

Rajan Gupta, J.

Petitioner has prayed for issuance of a writ in the nature of certiorari for quashing order dated 17.09.2013, passed by Commissioner, Gurgaon Division, Gurgaon and order dated 04.12.2013, passed by Financial Commissioner, Haryana and to initiate criminal proceedings against respondent No.4 for filing a wrong affidavit before the said Forums.

It appears, petitioner filed an application before Collector, Palwal under Section 3 of the *Haryana Dohlidar, Butimar, Bhondedar and Muqarridar Act, 2010*, seeking proprietary rights in the land in question. This application was allowed vide order dated 29.5.2012. An appeal was filed before the Commissioner, Gurgaon Division, Gurgaon. During pendency of proceedings, one of the respondents filed an affidavit before the Commissioner. Contention of the petitioner is that said affidavit is false, thus, criminal proceedings need to be initiated against the persons

responsible for filing the affidavit. The Commissioner dismissed the plea on the ground that it had no jurisdiction to initiate criminal proceedings. Aggrieved, present petition has been filed.

I find the petition totally frivolous. It does not disclose any cause of action. Petitioner has not even been able to point out any finding of any authority that a false affidavit was filed. Filing of such petitions need to be discouraged. Same is accordingly dismissed with Rs.10,000/- as costs. Costs be remitted to Haryana Legal Services Authority.

(RAJAN GUPTA)
JUDGE

August 10, 2017
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No