

HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CWP-26721-2016

Date of Decision: January 11, 2017

Amarjit Singh and another

.....Petitioners

Versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT  
HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

- |    |                                                                       |         |
|----|-----------------------------------------------------------------------|---------|
| 1. | To be referred to the Reporters or not?                               | Yes/No  |
| 2. | Whether the judgment should be reported in the Digest?                | Yes/No. |
| 3. | Whether Reporters of local papers may be allowed to see the judgment? | Yes/No  |

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Present: Mr.Ajay Jain, Advocate  
for the petitioners.

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**SURYA KANT, J.**

The petitioners chose to file a petition under Section 42 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948, admittedly after a long spell of over 56 years from the date when alleged cause of action accrued. The consolidation proceedings were held in the village in the year 1960 whereas the above-stated petition was instituted on 29.01.2016. The Commissioner, Hisar Division, Hisar exercising the powers of Director Consolidation has dismissed the petition on merits as well as on delay. Keeping in view the principles laid down by the Hon'ble Supreme Court in Gram Panchayat, Kakran vs Addl.Director of Consolidation, 1997(8) SCC 484, we are of the opinion that the Authority was not obligated to entertain the petition on merits and ought to have dismissed the same outrightly being hopelessly delayed.

No case to interfere with the impugned order is made out.

Dismissed.

( SURYA KANT )  
JUDGE

January 11, 2017  
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( SUDIP AHLUWALIA )  
JUDGE

- |    |                             |        |
|----|-----------------------------|--------|
| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ?        | Yes/No |