

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 4941 of 2017 (O&M)

Date of Decision: 28.04.2017

Kamaljit Singh

.....Petitioner

Versus

Director Land Records, Punjab, Jalandhar and others.

.....Respondents

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

Present: Mr. Surjit Singh Salar, Advocate
for the petitioner.

RAJESH BINDAL,J.

1. The petitioner has filed the present petition impugning the orders dated 1.10.2014 and 3.8.2016, Annexures P-6 and P-8 respectively. Further grievance has been raised that respondent No.1 is not implementing the order dated 14.1.1956 (Annexure P-1) passed by the Settlement Commissioner, Pepsu Patiala Camp, Bhatinda.

2. In the case in hand, settlement had taken place on 30.8.1955. Gurbachan Singh s/o Sunder Singh aggrieved against the same filed appeal bearing No. 385 of 30.9.1955, which was disposed of on 14.1.1956. The petitioner, who claims himself to be one of the rightholder and legal heir of Gurbachan Singh, who filed appeal, which was disposed of on 14.1.1956, filed application under Sections 42 and 43-A of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 (for short 'the Act'), in June 2003 raising a plea that certain part of land needs to be allotted to him along with a suitable path. The order passed on that application was impugned in the earlier round of litigation by the petitioner.

After the matter was remitted back, fresh order had been passed, which has been impugned in the present petition.

3. After hearing learned counsel for the petitioner, we do not find any reason to reopen the issue, which was settled long back in the year 1956 at the time when grandfather of the petitioner was party to the litigation. Neither he raised any issue during his lifetime nor the father of the petitioner. It is only the petitioner, who started this litigation about six decades after the consolidation had taken place.

4. Hence, we do not find any reason to entertain the present petition and the same is accordingly dismissed.

(RAJESH BINDAL)
JUDGE

(HARINDER SINGH SIDHU)
JUDGE

28.04.2017
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Whether speaking/reasoned Yes/No

Whether Reportable: Yes/No