

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 4980 of 2017 (O&M)

Date of decision: 09.05.2017

Inqulab Singh

..... Petitioner

Versus

Director Land Records Punjab, Jalandhar and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE RAMENDRA JAIN**

PRESENT: Mr. Paramjit Rajput, Advocate for the petitioner.

RAJESH BINDAL, J.

The grievance of the petitioner is that 12 marlas of land allotted to the petitioner was exchanged with other landowners vide order dated 14.08.1962 (Annexure P-4) passed by the Settlement Officer. It was on an application filed by Bua Singh. The petitioner was not impleaded as the respondent but still 12 marlas of land already allotted to him was exchanged with 14 marlas of land. Mutation on the basis of this order was also sanctioned immediately, thereafter. As soon as the petitioner came to know about this order passed at his back, he immediately filed a civil suit in the year 1999, however, the same was dismissed. The matter was placed before the Consolidation Officer, with the grievance that the order deserves to be set aside where also the petitioner did not succeed.

After hearing learned counsel for the petitioner, we do not find any reason to interfere in the writ petition solely on the ground of delay and laches. The order impugned was passed by the Settlement Officer, way

back on 14.08.1962. The land was exchanged between 5 different landowners. The petitioner was allotted 14 marlas of land in a different khasra number as against 12 marlas of land owned by him. The mutation was also sanctioned and further, it is evident from the facts as noticed in the impugned order that the person who was given 12 marlas of land in exchange in view of the above consolidation proceedings, had sold the land and the buyer had already taken the possession. Meaning thereby, the parties had given possession of the exchanged land in terms of the order passed by the Settlement Officer on 14.08.1962. Once the factum of passing of order against the petitioner was in his knowledge, we do not find any justification for entertaining any petition for raising any grievance regarding the same after more than five decades.

Accordingly, the writ petition is dismissed.

(RAJESH BINDAL)
JUDGE

May 09, 2017
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No