

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP No. 5374 of 2017 (O&M)

Date of decision: 16.3.2017

Karam Chand

.. Petitioner

VS

Director Land Record Punjab and others

.. Respondents

**Coram: Hon'ble Mr. Justice Rajesh Bindal
Hon'ble Mr. Justice Harinder Singh Sidhu**

Present: Mr. Rai Singh Chauhan, Advocate, for the petitioner.

Rajesh Bindal, J.

The petitioner has challenged the order dated 27.4.2016 vide which the application filed by the petitioner under Section 42 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948, was dismissed.

The claim was made by the petitioner that prior to the consolidation, the petitioner was shown as tenant on the land in question. However, while recording the entries after consolidation against new khasra numbers, entry was not recorded by mistake. The application filed by the petitioner was dismissed on the ground that the petitioner had not placed on record any material to establish his claim. The consolidation in the village had taken place on 30.11.1988. Though as per the impugned order, the petitioner did not produce any material to establish his claim, even in the jamabandi produced by him before this Court for the year 1979-80, the land is shown to be *barani*. In any case, the petitioner has not been shown to be a tenant at will. As shown in column no. 9, he has been shown as tenant on 1/3rd *batai*, hence, to claim that entry being a *gair marausi* tenant deserves to be

entered in the records, that too claimed by filing an application without producing any record about two decades after the consolidation took place has rightly been dismissed by the authority below. There is no merit in the present petition. The same is accordingly dismissed.

(Rajesh Bindal)
Judge

16.3.2017
vs

(Harinder Singh Sidhu)
Judge

Whether speaking/ reasoned

Yes/No

Whether Reportable

Yes/No