

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

CWP No. 5697 OF 2017 (O&M)

Date of decision: 20.03.2017

Amar Singh

.. Petitioner

vs.

Director Land Record, Punjab and anr.

.. Respondents

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

Present:- Mr. S.S. Salar, Advocate
 for the petitioner.

Rajesh Bindal, J.

Challenge in the petition is to the order dated 20.01.2016 whereby application filed by the petitioner under Section 43-A of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 (in short, the Act') was dismissed. The petitioner sought to claim that the land from his share was wrongly taken for the purpose of rasta at the time of passing of order dated 09.07.1986.

It is not in dispute that after the aforesaid order was passed, in which the petitioner was also party, he never raised any grievance. The application was filed under Section 43-A of the Act about 25 years thereafter. The same was dismissed. Vide the impugned order, it was held that the mistake sought to be corrected by the petitioner, cannot be said to be clerical error, as it was decision of the case on merits.

The opinion expressed in the impugned order, cannot be said to be erroneous.

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Accordingly the writ petition is dismissed.

(Rajesh Bindal)
Judge

(Harinder Singh Sidhu)
Judge

20.03.2017
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Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No