

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

CWP No.11149 of 2018

Date of Decision : 04.05.2018

Gian Chand (deceased) through his LRs

....Petitioners

Versus

State of Haryana and others

....Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE RAJBIR SEHRAWAT

...

Present: Mr.Vineet Chaudhary, Advocate
for the petitioners.

...

MAHESH GROVER, J. (Oral)

This writ petition is directed against the orders dated
01.10.2008, 24.12.2013 and 27.03.2018.

The petitioners claim themselves to be owners in
possession of the area of the land qua which the Gram Panchayat had
initiated proceedings under Section 7 of the Punjab Village Common
Lands (Regulation) Act, 1961.

Learned counsel for the petitioners contends that all the
authorities below have miserably failed to appreciate the evidence led
by him in support of his claim for ownership.

The revenue authorities below have consistently recorded
a finding of the land being Abadi Deh and also noticed that the
petitioners have failed to produce any material/document to
substantiate their plea of ownership.

Before us learned counsel for the petitioners contends that

the impugned orders are erroneous and are liable to be set aside as the authorities below have not taken into consideration the documents of ownership produced by the petitioners. He refers to the civil court proceedings initiated by him to highlight the fact that civil courts have also determined the issue in his favour.

We have perused these judgments of the civil court which show that the petitioners preferred a suit for permanent injunction and the courts while dealing with it recorded a positive finding of possession in their favour but no finding qua ownership was recorded. Despite repeated queries of the Court learned counsel for the petitioners was unable to show any such finding recorded by the civil courts although it was vehemently so asserted by the learned counsel before us.

Evidently, this submission is without any basis. We thus put it to the learned counsel for the petitioners to show us any material/document supporting his plea of ownership which was put up before the authorities below but not discussed.

Learned counsel for the petitioners could not show us any document from the record of the petition.

We are thus of the opinion that the petitioners have failed to establish their plea of ownership before the authorities below and before us as well. We are thus unable to appreciate their stand of ownership to record a finding contrary to the one that has been recorded by the courts below.

No ground to interfere.

Dismissed.

(MAHESH GROVER)
JUDGE

04.05.2018
dss

(RAJBIR SEHRAWAT)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No