

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

CWP No.13156 of 2018

Date of Decision : 30.05.2018

Balinder Singh and another

....Petitioners

Versus

State of Haryana and others

....Respondents

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

Present: Mr.Amit Kohar, Advocate
for the petitioners.

MAHESH GROVER, J. (Oral)

This petition is directed against the order dated 19.01.2018 whereby the application of the petitioners under Section 42 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 has been declined.

Learned counsel for the petitioners contends that there is an error in the consolidation scheme. However, he has failed to place on record the said scheme so as to enable us to appreciate the error. Even otherwise, the competent authority has noticed the pendency of a civil suit where the petitioners have laid a claim to a passage. The petitioners are subsequent purchasers. It means that they have purchased certain land and if desirous of having a passage they were required to make adjustments with the neighbours by either purchasing of land in excess or through any other mode. But noticing the fact that the land is Mustarka and a civil suit has been preferred by the petitioner for carving out a passage, the authority was right in

declining their prayer.

No ground to interfere.

Dismissed.

(MAHESH GROVER)
JUDGE

30.05.2018
dss

(RAJBIR SEHRAWAT)
JUDGE

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