

CWP no. 22522 of 2016 (O&M) 1

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

CWP no. 22522 of 2016 (O&M)

Date of Decision : 07.05.2018

Chhaju Ram and another

....Petitioner(s)

Versus

Commissioner Hisar Division & others

...Respondent(s)

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

Present : Mr.Mani Ram Verma, Advocate for the petitioner(s)

MAHESH GROVER, J.(ORAL)

This petition has been filed by the petitioners impugning various orders dated 9.8.2016, 15.1.2013, 8.9.2011, 22.7.1989 and 14.10.1988 stemming from consolidation proceedings adversely effecting the petitioners to the extent of 2 kanals and 7 marlas. In fact his sole grievance is that these 2 kanals 7 marlas has been given to him at a place farther away from his holding rendering it incapable of any fruitful use. It has been asserted before us that the orders of 1988 and 1989 from which this grievance emerges were passed without associating them with the proceedings and this is precisely argued before us with some vehemence but to our dismay we find that this assertion is totally contrary to records. The initial order of 1988 on record as Annexure P-1 clearly records the presence of the petitioner no.1.

If that be so, then the authorities in subsequent proceedings

initiated by the petitioner no.1 highlighting his grievance and pleading ex parte proceedings which plea was negated cannot be faulted with. If the petitioner no.1 was present when the order of 1988 was passed there was absolutely no justification for him to invoke the authorities against such an order after more than two decades. By virtue of the impugned orders the pleas raised by the petitioners have been negated on the ground of delay and we would have no reason to disagree, particularly, when with the initial order the petitioner was associated.

No ground to interfere is made out. Hence, instant petition is hereby dismissed.

(Mahesh Grover)
Judge

07.05.2018

rekha

Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No

(Rajbir Sehrawat)
Judge