

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

CWP No. 6726 of 2018

Date of Decision : 03.12.2018

Matu Singh and others

....Petitioners

Versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR JUSTICE LALIT BATRA

Present : Mr.Ravi Sharma, Advocate for the petitioners.

MAHESH GROVER, J.(O)

The petition under Section 13 of the Punjab Village Common Lands (Regulation) Act, 1961 was dismissed by all the authorities below. The petitioners, who laid a claim to the land, could not substantiate it by way of revenue record. Right upto the level of the Financial Commissioner there was a consistent finding that as per jamabandi for the year 1944-45 the land in question was recorded as *shamlat deh hasab hiss mundraja paimana haqiat* in the column of ownership and *makbujja malkan* in the column of cultivation. It has specifically been noticed in the order of the Financial Commissioner that the petitioners did not produce any document to establish their cultivating possession on or before 26.01.1950. To a pointed question raised by this Court the learned counsel for the petitioners failed to satisfy us in this regard. The Financial Commissioner further went on to record that *Wajib Ul-Urz* indicates a common use, and possession of all the petitioners on the dispute land was neither collectively established nor was it shown that they were in possession of specific

khasra numbers. Noticing that the land falls within the definition of *shamlat deh* and not coming within the exception of Section 2(g) of the Punjab Village Common Lands (Regulation) Act,1961, the claim of the petitioners was dismissed. Before us also the petitioners have failed to show anything that would persuade us to take a contrary view.

No ground to interfere.

Dismissed.

(MAHESH GROVER)
JUDGE

03.12.2018
dss

(LALIT BATRA)
JUDGE

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