

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

106

CR No.4978 of 2009 (O&M)

Date of decision: 25.02.2019

Desa Singh

..... Petitioner

Versus

Punjab Wakf Board

..... Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- None for the petitioner.

Mr. Aruz Khan, Advocate
for the respondent.

ANIL KSHETARPAL, J. (ORAL)

Called twice, counsel for the petitioner is not present. On 20.12.2018 after noticing that the counsels were not present, the office was directed to inform learned counsel for the parties. In spite of intimation, today once again, there is no representation on behalf of the petitioner.

This revision petition has been preferred against the order passed by the learned Tribunal constituted under the Wakf Act decreeing the suit for possession of land measuring 23 kanals 13 marlas. The Wakf Board had claimed that the defendant-petitioner had taken forcible possession of the property in the year 1995. The defendant pleaded that the property is not a wakf property and in fact it adjoins his land and therefore, he had made it cultivable after putting hard labour.

Learned Tribunal after examining the record has recorded a finding that the property is wakf property and the petitioner has no right,

title or interest in the property. The Tribunal relied upon the Gazette Notification Ex.P-2 wherein the suit property is described at serial No.2693. Revenue record also proves that the Wakf Board is the owner of the property in dispute. Even revenue record produced by the petitioner also proves that fact.

In view of the aforesaid, there is no ground to interfere with the finding of fact arrived at by the Tribunal declaring that the property to be wakf property and therefore, the Wakf Board is entitled to possession.

Revision petition dismissed.

25.02.2019

Dinesh Bansal

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No