

CWP-3276-2019

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-3276-2019

Date of Decision: 06th February, 2019

Ami Lal

...Petitioner

Versus

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Daljeet Singh Virk, Advocate,
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court impugning the orders dated 27.07.2016, 25.10.2017, 08.01.2018 and 27.03.2018 (Annexures P-1 and P-4 to P-6) passed by respondents No.1 to 4, whereby, an application filed by respondents No.5 and 6 for correction of Khasra Girdawari regarding the land bearing Khewat No.273, Khata No.372, Rectangle No.92, Killa No.18 (8-0), 19 (8-0) measuring 16 kanal 0 marla situated at village Tarkanwali, Tehsil Nathusari Chaupta, for the year 2012-13, has been allowed.

It is asserted by the counsel for the petitioner that the petitioner was not associated with the spot inspection on the basis of which, Khasra Girdhawari have been corrected. He contends that since the petitioner is the owner of the land, therefore, his presence was essential and in his absence, the spot inspection as has been carried out, which has been made the basis

for changing the Khasra Girdawari, cannot sustain. In support of this contention, learned counsel for the petitioner places reliance upon the judgment of this Court in Amal Kumar & others Vs. Bhupinder Singh 1976 PLJ 26.

I have heard the learned counsel for the petitioner and with his assistance have gone through the impugned orders but do not find myself in agreement with the contentions of the counsel for the petitioner for the reason that the petitioner was indeed associated with the spot inspection and as per the orders passed by the Financial Commissioner, it is apparent from the records that the presence of petitioner have been mentioned. Apart from that, it has also been mentioned in the order of the Financial Commissioner, Haryana, dated 27.03.2018 (Annexure P-6) that this issue was never raised before the authorities below. The orders, therefore, being in accordance with law, do not call for any interference by this Court as the judgment on which reliance has been placed by the counsel for the petitioner referred to above would not be applicable to the case in hand.

In view of the above, the present writ petition stands dismissed.

06th February, 2019
Harish

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No