

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

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**CWP No.18161 of 2019
Date of Decision: 08.07.2019**

Ram Niwas and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI**

Present : Mr. Vinod S. Bhardwaj, Advocate for the petitioners.

RAKESH KUMAR JAIN, J. (ORAL)

This petition is filed by the alleged residents of Village Gawalra, Tehsil Israna, District Panipat to assail the validity of the mutation dated 15.09.1955, orders dated 17.08.1999 by which the suit filed under Section 13 (A) of the Punjab Village Common Lands (Regulation) Act, 1961 (as applicable to State of Haryana) (for short, “the Act”) by nine residents/proprietors of the village claiming their title over the land measuring 5807 bigha-4 biswa was dismissed, order dated 27.03.2002, by which the appeal filed only by Raghbir Singh against the order dated 17.08.1999 was dismissed and order dated 20.12.2005 filed by the legal heirs of Raghbir Singh was dismissed by the Financial Commissioner, Haryana.

At the outset, the question is as to how the present writ petition is maintainable in the year 2019, against the impugned orders in which latest order has been passed by the Financial Commissioner in the year 2005.

Counsel for the petitioners has submitted that the petitioners were not aware of the orders passed by this Court in CWP

No.4966 of 2019 and CWP No.10180 of 2019 as a result thereof, they are going to be dispossessed from the land in their possession.

We have heard learned counsel for the petitioners and after perusal of the record, are of the considered opinion that the present petition is bad because of delay and laches as the petition has been filed after a gap of 14 years if the limitation is counted from the last order passed by the Financial Commissioner in 2005. If the petitioners were so keen to protect their possession, then they could have joined the other residents/proprietors of the same village in the writ petition, who have been litigating either before the revenue authorities or before this Court by way of various writ petitions.

Thus, in view of the aforesaid facts and circumstances, we do not entertain this petition after a long delay of 14 years and the same is hereby dismissed on account of delay and laches.

(RAKESH KUMAR JAIN)
JUDGE

(ARUN KUMAR TYAGI)
JUDGE

08.07.2019

Vinay

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