

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

144

CWP No.25232 of 2019  
Date of Decision: 10.09.2019

Shakuntala

.....Petitioner

Versus

Gram Panchayat Babupur and others

.....Respondents

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

Present : Mr. N.D. Achint, Advocate for the petitioner.

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**RAKESH KUMAR JAIN, J. (ORAL)**

The petitioner and others filed a suit under Section 13-A of the Punjab Village Common Lands (Regulation) Act, 1961 (for short, “the Act”) (applicable to State of Haryana) for declaration that they are the owners of the property in dispute (stated to be *shamlat deh*). The suit filed by them was dismissed by all the revenue authorities holding that the land in dispute was reserved for common purposes during consolidation.

Though counsel for the petitioner has submitted that as per judgment rendered in the case of **Jai Singh Vs. State of Haryana, 1995 (1) RRR 623**, Section 2(g)(vi) has been struck down but in the later Full Bench judgment of this Court in the case of **Jai Singh Vs. State of Haryana, 2003(2) PLR 658**, it has been held that “all such lands, which have been, as per the consolidation scheme, reserved for common purposes, whether utilised or not, shall vest with the State Government or the Gram Panchayat, as the case may be, even though in the column of ownership the entries may be Jumla Mustarka Malkans Wa Digar Haqdaran Hasab Rasad Arazi Khewat etc.”.

Counsel for the petitioners has been fair enough to admit that the land in dispute was reserved for the common purposes at the time of consolidation though the entry in the column of the ownership is *Jumla Mustarka Malkan Wa Digar Haqdaran*.

In view of the decision of the Full Bench in the case of **Jai Singh-II**, there is no error committed by the Courts below in dismissing the suit of the petitioners. No other point has been raised.

In view of the above facts and circumstances, there is hardly any merit in this case for the purpose of interference by this Court.

Dismissed.

**(RAKESH KUMAR JAIN)**  
**JUDGE**

**(ARUN KUMAR TYAGI)**  
**JUDGE**

**10.09.2019**

Vinay

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |