

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

RSA No.1828 of 2016 (O&M)
Date of Decision.11.01.2019

Amrit Lal Goel @ Amrit Lal Goyal

...Appellant

Vs

Executive Officer, Municipal Council, Rajpura and another

...Respondents

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Vishal Aggarwal, Advocate
for the appellant.

:-

AMIT RAWAL J. (ORAL)

The appellant-plaintiff has not been successful in defending the appeal preferred by the defendants in claiming the following relief, whereby the lower Appellate Court reversed the finding of the trial Court and dismissed the suit:-

“Suit for declaration to the effect that the plaintiff is owner in possession of property No.b-1/1087, Jagdish Colony Old Rajpura constructed over land measuring 40'x35' situated in Old Rajpura and entries in Municipal Council Record are wrong and are liable to be corrected. House Tax claimed by defendants from Jagdish Rai son of Babu Ram Aggarwal is illegal, null and void as no house tax is leviable on property in question or recoverable due to being time barred. Further, defendants are legally liable to pay unliquidated damages to the tune of Rs.50,000/- as plaintiff is being mentally harassed by the defendants for the last more than 30/40 years.”

The short point involved in the present case is whether entries in the revenue record are the documents of conclusive proof of ownership. This is what has been held by the lower Appellate

Court. No contrary law has been placed on record. In such circumstances, the suit *ex facie* was not maintainable.

In such circumstances, I do not find any illegality and perversity in the judgment and decree rendered by the lower Appellate Court, much less, no substantial question of law arises for determination by this Court. No ground for interference is made out. The second appeal is dismissed.

(AMIT RAWAL)
JUDGE

January 11, 2019

Pankaj*

Whether Reasoned/Speaking Yes

Whether Reportable No