

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.13448 of 2020
Date of Decision:17.11.2020

Jagjit Singh

.....Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Gulzar Mohammad, Advocate
for the petitioner.

Ms. Ambika Bedi, AAG., Punjab.

LISA GILL, J(Oral).

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

This petition has been filed seeking quashing of order dated 20.11.2019 (Annexure P-9) passed by the Financial Commissioner (Revenue), Punjab, Chandigarh as well as order dated 14.01.2010 (Annexure P-7).

Learned Financial Commissioner (Revenue), Punjab, vide order dated 20.11.2019 while considering the petition under Section 16 filed by the petitioner under the Punjab Land Revenue Act, 1887, disposed of/ partly allowed the same, while observing as under:-

“7. I am of the considered opinion that a welfare measure of allotting manure pits, to the Scheduled Caste beneficiaries by the Welfare Department should not be reopened on account of

minor technicalities by one of the joint land-owners. Therefore, nothing ought to be done to disturb the long-standing possession of Scheduled Caste beneficiaries, who had already been allotted manure pits by Welfare Department. Therefore, the Sanad Takseem in so-far-as it recognized the allotments made by the Welfare Department is hereby confirmed. However, liberty shall be given to the Assistant Collector Grade-I to modify the Sanad Takseem if mis-carriage of justice or an error patently evident on the face of record has taken place qua the petitioners. Needless to say, in doing so, right of any third party shall not be affected, without given them an opportunity of hearing.

8. With these directions, the revision petition is disposed of/ partly allowed. The parties are directed to appear before the Assistant Collector Grade-I, Khamano, District Fatehgarh Sahib on 27.12.2019 for further proceedings.”

Learned counsel for the petitioner, at this stage, restricts the prayer for a decision by the learned Assistant Collector Grade-I, Khamano, District Fatehgarh Sahib, in a time bound manner especially keeping in view the fact that the matter has been hanging fire since the year 2004.

Notice of motion be issued to respondents no.1 to 4.

Ms. Ambika Bedi, AAG., Punjab, accepts notice on behalf of respondents no.1 to 4 and does not raise any serious objection to the limited prayer addressed. Advance copy of the petition stands served.

Keeping in view the facts and circumstances of the case as well as the limited prayer addressed, this petition is disposed of with a direction to learned Assistant Collector Grade-I, Khamano, District Fatehgarh Sahib to conclude the proceedings expeditiously and preferably within six months from the receipt of certified copy of this order. Needless to say, liberty is afforded to the respondents to move an appropriate application in case any

relevant fact, has not been brought to the notice of the Court at the time of hearing.

17.11.2020
s.khan

[LISA GILL]
Judge

Whether speaking/reasoned : Yes/No.
Whether reportable : Yes/No.