

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

**RSA No.5874 of 2017 (O&M)
DATE OF DECISION : 2nd MARCH, 2020**

Avtar Singh

.... Appellant

Versus

The Joint Sub-Registrar Sub Tehsil Adampur, Jalandhar and others

.... Respondents

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

* * * *

Present : Mr. I. S. Garg, Advocate for
 Mr. N. S. Dandwial, Advocate for the appellant.

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RAJBIR SEHRAWAT, J. (Oral)

1. This is the second appeal filed by the unsuccessful plaintiff to challenge the concurrent judgment and decrees, passed by the courts below, whereby; the suit for injunction, directing the authorities not to accept any document except those presented by him qua his land; for the purpose of making any entry in the revenue record, have been dismissed.
2. For the convenience, the parties are being referred to herein as the plaintiff and the defendants; as they were described in the original suit.
3. The basis for filing the suit, as is evident from the record is that the plaintiff/appellant had applied for obtaining copy of *Jamabandi* qua his land from the revenue authorities. The copy of the *Jamabandi* was supplied to him. However, in that *Jamabandi*, the Bank loan, which had already been availed by the plaintiff, by mortgaging the land in question, had not been reflected. But, subsequently when the

plaintiff/appellant applied for the copy of the *Jamabandi* again, it was found that the lien of the Bank qua the loan was being reflected in the *Jamabandi* against the land owned by him. From this, the plaintiff/appellant got apprehension that there is land mafia operating in the area and that the land records can be forged by them in connivance with the revenue officials. Hence, the above said suit was filed.

4. Both the courts below have held that the plaintiff has not led any evidence to show infringement of anyone of his civil rights. The suit has been filed merely on apprehension that some persons might be able to do something wrong with the land holding of the plaintiff by getting some wrong entries made in the revenue records. However, this does not give any valid cause of action to the plaintiff to file the suit.

5. Learned counsel for the plaintiff has reiterated his assertion that he had the apprehension that the land mafia operating in the area can get fraudulent records created qua his land. Therefore, the direction prayed for by the plaintiff; should have been issued by the courts below.

6. Having heard the learned counsel for the appellant and having perused the file, this court does not find any substance in the argument of the counsel for the appellant. It is settled law that civil suit is meant to redress the grievance of the plaintiff qua infringement of his civil rights. However, the mere apprehension of infringement of civil rights; which does not have factual foundation, does not constitute any cause of action to initiate the process of the civil suit. Hence, both the courts below have rightly held the suit of the plaintiff to be devoid of any valid cause of action. This court does not find any illegality or perversity in the orders passed by the courts below.

7. No other argument was raised. No substantial question of law has been pointed out by the counsel for the appellant.

8. In view of the above, finding no merit in the present appeal, the same is dismissed.

2nd MARCH, 2020
'raj'

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>