

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 16986 of 2021

Date of Decision: 03.09.2021

Ram Rattan and Others

... Petitioner(s)

Versus

State of Haryana and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. L.S.Lakhanpal, Advocate
for the petitioner(s).

Mr. Samarth Sagar, Additional Advocate General,
Haryana, for the respondents.

Anil Kshetarpal, J.

1. Through this writ petition, the petitioners pray for incorporating their names in the revenue record on the basis of the sale deed dated 31.01.1978. In essence, the petitioners pray for correction of the revenue record.

2. Section 45 of the Punjab Land Revenue Act, 1887 (hereinafter referred to as “the 1887 Act”) enables the person, who considers himself aggrieved as to any right to which he is in the possession by an entry in a record-of-rights or in an annual record, to institute a suit for declaration of his right under Chapter VI of the Specific Relief Act, 1877. Section 45 of the 1887 Act is extracted as under:

“45. Suit for declaratory decree by persons, aggrieved by an entry in a record: - If any person considers himself aggrieved as to any right of which he is in the possession by an entry in a

record-of-rights or in an annual record, he may institute a suit for a declaration of his right under Chapter VI of the Specific Relief Act, 1877”.

3. Mr. Samarth Sagar, Additional Advocate General, Haryana, has entered appearance for the respondents and on the instruction from Mr. Ashok, Patwari, Land Acquisition Collector, Panchkula, submitted that the suit with regard to declaration of the land in question is already pending between the predecessors-in-interest of the petitioners.

4. Keeping in view the aforesaid facts, the petitioners are relegated to the remedy before the Civil Court.

5. With the observations made above, the present writ petition is disposed of.

(Anil Kshetarpal)
Judge

September 03, 2021
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No