

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

***C.W.P No. 5523-2021***

**Date of decision : 09.03.2021**

Gram Panchayat Jhander Kalan

.....Petitioner

versus

Director, Rural Dev. & Panchayat, Pb & ors

....Respondents

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI  
HON'BLE MRS. JUSTICE ARCHANA PURI**

Present: Mr. Sukhjinder Singh, Advocate  
for the petitioner.

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**RITU BAHRI, J. (Oral)**

Petitioner-Gram Panchayat has approached this Court, seeking quashing of order dated 18.10.2019 (P-3), vide which respondent No. 1 has allowed the appeal filed by respondent No. 3 under Section 11 (2) of the Punjab Village Common Lands (Regulation), Act 1961.

Learned counsel for the petitioner contends that it is the Gram Panchayat, who is recorded as owner of Khasra No. 45 (0-2), as per revenue entries but respondent No. 1 ignored all the revenue records and accepted the appeal of respondent No. 3, vide order dated 18.10.2019 (P-3). Reference has been made to jamabandi for the year 2011-12 (P-4) wherein Khasra No. 45 (0-2) is the ownership of Jumla Malkan and in the column of cultivation, it was recorded as street.

Heard learned counsel for the petitioner at length and gone through the records.

A perusal of order dated 18.10.2019 (P-3) shows that respondent No. 1 has given a categorical finding that the land comprised in

Khasra No. 44/2 is owned by respondent No. 3 and the land shown with red colour in map, comprised in Khasra No. 45 is being used as Street/Gali, which is far away. Further respondent No. 3 has himself admitted that he is not in possession over the land comprised in Khasra no. 45 which is being used as passage and he is not claiming his ownership over this land in the petition filed under Section 11 of the Punjab Village Common Lands (Regulation), Act 1961. A positive finding has been given that the land in Khasra No. 45 is used as a passage.

On a specific query put to learned counsel for the petitioner that whether he has placed on record revenue entries with respect to Khasra No. 44/2 in which respondent No. 3 was claiming ownership as he had raised the boundary around this land, he replied in 'No'.

The finding of fact recorded by respondent No. 1 while passing impugned order dated 18.10.2019 (P-3), does not require any interference by this Court.

The petition is dismissed.

**(RITU BAHRI)**  
**JUDGE**

**(ARCHANA PURI)**  
**JUDGE**

**09.03.2021**  
**G Arora**

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