

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

CWP-22115-2021 (O&M)
Date of decision: 01.11.2021

Resham Kumar

...Petitioner

Versus

State of Haryana and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Narender Pal Bhardwaj, Advocate for the petitioner

Mr. Samarth Sagar, Addl. AG, Haryana

ANIL KSHETARPAL, J (Oral)

The hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

The petitioner prays for issuance of a writ in the nature of Mandamus to direct the respondents to decide his representation-cum-objections. The petitioner claims that three different ancestral residential properties, residential in nature, of the family are located within the *Lal Dora* of the village. The petitioner claims to be son of Late Sh.Sita Ram. A civil suit filed by the petitioner is already pending. The petitioner has also asserted that he intends to file a suit for partition. The State of Haryana, in order to confer the documents of title, has initiated Lal Dora Mukht Gram Yojna. The petitioner claims that his brothers and nephews have already been issued property I-cards and certificates of the ownership rights. In essence, the petitioner prays that the Block Development and Panchayat Officer or the Panchayat Secretary should decide the question of title. In the considered view of this Court, the question of title can only be decided by the competent court of

jurisdiction like the civil court. Learned counsel representing the petitioner does not dispute the aforesaid fact. However, he contends that as the objections have already been invited, therefore, the authorities be directed to decide the same.

In substance, the petitioner claims ownership being coparcener in the various properties located in the village whereas he resides in the city. Such question can only be decided by the competent civil court having jurisdiction to decide such question. The revenue officials do not have jurisdiction to decide such questions. Hence, the petitioner, if so advised, may file an appropriate suit or amend the pending suit.

Disposed of.

All the pending miscellaneous applications, if any, are also disposed of.

01.11.2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE