

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

Sr. No.112

CR-2566-2021 (O&M)

Date of decision : 02.11.2021

Gurmeet Singh and others

..... Petitioners

VERSUS

The State of Punjab through Collector, Ludhiana and others ... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Shalindra Jain, Sr. Advocate with
Mr. Shusham Kashyap, Advocate, for the petitioners.

SUDHIR MITTAL, J. (Oral)

The petitioners have challenged order dated 04.07.2018
(Annexure P-15) passed by the learned executing Court.

Regarding delay and laches, learned senior counsel for the petitioners has submitted that the predecessors-in-interest of the petitioners were parties to the lis. After their demise, the petitioners were not impleaded as party and thus, they were not aware of the impugned order. They have acquired knowledge of the order only after filing of CR-145-2021 titled as Sardara Singh through LR Bhajan Singh Vs. State of Punjab and others, which is now pending for 04.05.2022. Thus, there is no delay on the part of the petitioners.

CR-145-2021 has been filed for a direction to the concerned authorities to comply with order dated 04.07.2018 passed by the executing Court. It is, thus, apparent that the present revision petition has been filed as a counter to the said revision petition. The petitioners have acquired knowledge of the impugned order soon after filing of the said revision petition, which implies that they had their eyes open, but were keeping quiet,

their interest. Thus, the submission that they were not aware of the impugned order earlier cannot be accepted.

The present revision petition has been filed after 3 ½ years of the passing of the impugned order and thus, in my considered opinion, it is barred by the principles of delay and laches.

Learned senior counsel for the petitioners has also submitted that the decree dated 23.02.1954 already stands complied with as mutations entered on the basis of a resolution that has been set aside by virtue of said decree, have already been reversed.

Vide the impugned order, the executing Court has only directed the Director, Land Records, Punjab, to complete the formalities after examining the revenue record sent to him/her. If, the mutations have already been reversed, then the petitioners should have no fear.

For the aforementioned reasons, the revision petition has no merit and is dismissed.

(SUDHIR MITTAL)
JUDGE

02.11.2021

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No