

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

106

CWP No.10747 of 2021

Date of Decision:- 19.09.2022

BACHANA RAM

...Petitioner

VS.

STATE OF PUNJAB AND OTHERS

...Respondents

BEFORE :- HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr.M.S. Yadav, Advocate, for the petitioner.

Sudhir Mittal, J. (Oral)

Respondent Nos. 6 to 13 had filed an application for entry of mutation of inheritance of Banarasi Dass son of Agna Mal. The application was allowed and mutation was sanctioned. Aggrieved, the petitioner filed an appeal but without success. Further, revisions have also failed and, thus, the present writ petition has been filed.

Learned counsel for the petitioner has argued that the petitioner has been in possession for a long period of time and accordingly, he should have been heard before sanctioning the mutation. Since he was not heard, it has resulted in violation of Section 34 of the Punjab Land Revenue Act, 1887.

Section 34 aforementioned only stipulates that if a person acquires any right/title in respect of land, the Halqa Patwari shall record the same in his register of mutations upon the fact being brought to his notice. It nowhere provides for grant of an opportunity of hearing to a person in possession. It is not even the case of the petitioner that he possesses some right/title in the land in dispute. Thus, the argument is misconceived and is rejected.

The writ petition has no merit and is dismissed.

September 19, 2022

poonam

(SUDHIR MITTAL)

JUDGE

Whether Speaking/Reasoned

Yes

Whether Reportable

No