

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

CWP-15188-2022

Decided on: 18.07.2022

Jarnail Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI
HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. S.S. Salar, Advocate
for the petitioner.

AUGUSTINE GEORGE MASI, J. (ORAL)

Challenge in this writ petition is to the order dated 01.12.2021 (Annexure P-3) passed by the Director Land Records, Punjab, Kapurthala Road, Jalandhar-respondent No.2, whereby the application preferred by the petitioner under Section 42 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act 1948 (hereinafter referred as 'the Act'), has been dismissed.

Learned counsel for the petitioner contends that the application which has been preferred under Section 42 of the Act, cannot be said to be a bar as the petitioner has share in the land and therefore, is entitled to move such an application. Counsel for the petitioner when confronted with the fact that the land has not been partitioned and the claim is of the father of the petitioner *qua* which an application which has been preferred by his brother has already been decided against them, counsel has no answer to the same as this is the factual aspect which could not be disputed by him.

In the light of the above, we do not find any illegality in the order which has been impugned in the present writ petition and therefore the present writ petition has been dismissed.

(AUGUSTINE GEORGE MASIH)
JUDGE

18.07.2022
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(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No