

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-25012-2021

Date of Decision: 15.02.2022

Jaivir Singh

....Petitioner

VS

State of Haryana and others

....Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. Shamsheer Singh Tomar, Advocate for
Mr. Neeraj Sheoran, Advocate
for the petitioner

SUDHIR MITTAL, J. (Oral)

The Appellate Court has dismissed the appeal on the ground of lack of jurisdiction.

It is submitted that even though the Haryana Chowkidara Rules, 2011 do not provide for an appeal against the order of the Collector, the Collector's order can be appealed against under the Punjab Land Revenue Act, 1887. The finding to the contrary is erroneous.

Notice of motion to respondents No. 1 and 2 only.

Considering the nature of the order being passed issuance of notice to the private respondents is dispensed with.

Mr. Rajneesh Chadwal, AAG Haryana accepts notice on behalf of respondents No. 1 and 2 and waives service. He has no objection in case the matter is remanded to the Appellate Court for a fresh decision.

This Court in CWP No. 23955 of 2021 titled as ***Naresh Parsad vs. State of Haryana and others*** decided on 14.12.2021 has held that even though an appeal is not provided in the aforesaid Rules, the order of the Collector can always

order is patently erroneous.

Accordingly, the writ petition is allowed. Impugned order dated 07.07.2021 is set aside. The matter is remanded to the Appellate Court for a fresh decision in accordance with law.

(SUDHIR MITTAL)
JUDGE

15.02.2022
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Whether speaking/reasoned	Yes/No
Whether Reportable :	Yes/No