

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

**CWP-29773-2019 (O&M)
DECIDED ON: 31.05.2022**

ANIL KUMAR

.....PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

.....RESPONDENTS

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

Present: Mr. Vikram Singh, Advocate
for the petitioner.

Ms. Rajni Gupta, Addl. A.G. Haryana.

AUGUSTINE GEORGE MASIH, J. (ORAL)

CM-16428-CWP-2019

Prayer in this application is for placing on record the jamabandis for the year 1938-39, 1939-40, 1941-42, 1945-46, 1953-54 and 1961-61 as Annexures P-8 to P-13.

For the reasons mentioned in the application, the same is allowed. Annexures P-8 to P-13 are taken on record.

Registry is directed to tag the same at appropriate stage of the case.

CWP-29773-2019

The basic contention, which has been raised by counsel for the petitioner is that the impugned order dated 06.11.2018 (Annexure P-7) passed by the Financial Commissioner, Haryana, cannot sustain in the light of the fact that the revision petition under Section 13AA of the Punjab Village Common Lands (Regulation) Act, 1961 would be maintainable.

Counsel for the State on the said aspect does not dispute the said assertion of the counsel for the petitioner as the same is apparent from the mere language of Section 13AA of the Punjab Village Common Lands (Regulation) Act, 1961 as applicable to State of Haryana.

In the light of the above, the present writ petition is allowed. Impugned order dated 06.11.2018 (Annexure P-7) passed by the Financial Commissioner, Haryana is set aside and the case is remanded back to the said authority for fresh decision in accordance with law.

Parties are directed to appear before the Financial Commissioner, Haryana on 08.07.2022.

(AUGUSTINE GEORGE MASIH)
JUDGE

(SANDEEP MOUDGIL)
JUDGE

31.05.2022

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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>