

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

RSA No.683 of 2017 (O&M)

Date of decision: 02.09.2022

Joginder Singh

..Appellant

Versus

Unitech Sai Private Limited

..Respondent

RSA No.684 of 2017 (O&M)

Smt. Laxmi Devi

..Appellant

Versus

Unitech Sai Private Limited

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Anupam Gupta, Sr. Advocate, with
Mr. Bhavnik Mehta, Advocate
for the appellant .

Dr. Anmol Rattan Sidhu, Sr. Advocate, with
Ms. Tejaswini, Advocate
for the respondent.

ANIL KSHETARPAL, J(Oral)

1. Two different appeals have been filed by two different plaintiffs, assailing the correctness of the judgment and decree passed by the First Appellate Court.

2. Admittedly, the plaintiffs were the owner of 15 kanals and 10 marlas land which was exchanged by them with the equivalent land of M/s Unitech Sai Private Limited on 20.12.2010. The plaintiffs have filed a suit for declaration that the exchange deed dated 20.12.2010, is liable to be declared illegal because the revenue entry has not been corrected in their favour.

M/s Shreeaumji Infrastructure Private Limited. Lateron, the name of the company was changed to Unitech Sai Private Limited. However, in the revenue record, the property continues to be reflected in the name of M/s Shreeaumji Infrastructure Private Limited, although, as per the certificate issued by the Government of India, Ministry of Corporate Affairs, the name of the aforesaid company has been changed to Unitech Sai Private Limited, on 05.07.2006.

4. The learned senior counsels representing the parties are ad-idem that if the revenue entry with respect to the land received by the plaintiffs in exchange of their land, is entered in their favour, they will have no grievance.

5. Dr. Sidhu, the learned senior counsel has informed the court that now once again the name of the company has reverted back to the original name i.e. M/s Shreeaumji Infrastructure Private Limited.

6. Be that as it may.

7. Keeping in view the aforesaid facts, Mr. Harsh Vardhan, Assistant Advocate General, Haryana, has been requested to assist the court.

8. The entires in the revenue record are made to maintain the record while regularly updating it. The revenue authorities are bound to update the record in accordance with the events which take place. When M/s Shreeaumji Infrastructure Private Limited was re-named as a Unitech Sai Private Limited, the revenue authorities were bound to make a correction in the revenue record while making an entry in favour of the changed name Unitech Sai Private Limited. Thereafter, the revenue authorities were required to implement the exchange deed which took place between the plaintiffs and the Unitech Sai Private Limited. In other words, the land

received by the plaintiffs, in exchange, from the Unitech Sai Private Limited was required to be entered in the name of plaintiffs. As per the stand of the learned counsel representing the respondent, the name of the Unitech Sai Private Limited has now been again changed to M/s Shreeaumji Infrastructure Private Limited. In fact, both the entities are same.

9. Keeping in view the aforesaid facts, the revenue authorities are directed to sanction the mutation in favour of the plaintiffs with respect to the land received by them vide exchange deed dated 20.12.2010, after correcting the entry from M/s Shreeaumji Infrastructure Private Limited or Unitech Sai Private Limited.

10. Both the Regular Second Appeals are disposed of.

11. All the pending miscellaneous applications, if any, are also disposed of.

September 02, 2022

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**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*