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IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CWP-2187-2021

Date of decision:07.02.2023

SUDHAGAR SINGH AND ORS

...Petitioners

Versus

STATE OF PUNJAB AND ORS

...Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR  
HON'BLR MR. JUSTICE KULDEEP TIWARI

Present: Mr. Hardeep Singh, Advocate  
for the petitioners.

Mr. Manninder Singh, DAG, Punjab.

Ms. Navneet Kaur, Advocate for  
Mr. Amit Dhawan, Advocate  
for respondents No.6 and 7.

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**SURESHWAR THAKUR, J. (ORAL)**

1. The grievance raised in the instant petition, is that, the respondents are in the process of making allotments of lands, to certain land-less persons but such lands are described in the revenue entries, as *Gair Mumkin Chappar*.

2. The learned counsel for the petitioners, therefore is, asking for a mandamus being made upon the respondents concerned, whereby he is intending to constrain this Court to restrain the respondents concerned, to not carry ahead the above processes. However, a perusal of reply, on affidavit furnished to the petition by the respondent(s) concerned, reveals that the allotments as made to persons falling within the eligible criteria, hence being allotted land, but the said allotment(s) to the said persons are of those lands which are not shown in the revenue record as *Gair Mumkin Chappar*.

3. Though, in the face of the above, the above asked for mandamus cannot be made, upon the respondents concerned, but the learned counsel for the petitioners has yet continued to make a very vociferous submission before this Court, that the allotment of land(s) to any land-less person is vitiated, as such allotted lands, fall within the domain of the catchment area concerned, and, if they are subjected to construction, at the instance of the allottees concerned, thereupon there is a possibility of the feeding channels to the pond concerned, rather becoming completely closed/blocked.

4. However, at this stage, except for the above oral submission being made before this Court by the learned counsel for the petitioners, there is neither any pleadings in respect thereof nor obviously any cogent evidence has been adduced before this Court. Therefore, this Court is constrained to not accept the above argument.

5. In the face of the above, petition does not deserve to be allowed, contrarily the same is dismissed.

**(SURESHWAR THAKUR)**  
**JUDGE**

**07.02.2023**

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**(KULDEEP TIWARI)**  
**JUDGE**

|                                    |               |
|------------------------------------|---------------|
| <b>Whether speaking/reasoned:-</b> | <b>Yes/No</b> |
| <b>Whether reportable:</b>         | <b>Yes/No</b> |