

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRA-S-2384-SBA-2004
Date of Decision:-23.08.2023

STATE OF PUNJAB

.....Appellant

Versus

KISHAN SINGH

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Ashish Grover, Advocate for the appellant.

ALOK JAIN, J. (Oral)

1. The present appeal has been filed by the State of Punjab through one of its functionaries being the Punjab Urban Planning and Development Authority, Mohali, exercising power of the Director, Urban Planning Regulation of Colonies Act, 1975 against the judgment dated 23.02.2004, whereby the complaint filed by the appellant came to be dismissed.

2. Learned counsel for the appellant has vehemently argued that the complaint was wrongly dismissed by giving benefit of the expiry of limitation period, as the complaint was filed in the year 1991 for the sale deed executed by the respondent in 1988.

3. Learned counsel for the appellant has vehemently argued that all the sale deeds have to be taken together and thereafter, Section 11 of Punjab Regulation of Colonies Act, 1975, has to be complied with.

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4. Heard learned counsel for the appellant at length.
5. A perusal of the judgment and the evidence brought on record demonstrates that the first sale deed was executed on 29.01.1988 and therefore, the complaint filed on 30.05.1991 was apparently beyond the period of limitation. More so, with the passage of time, the area in question has been developed and the entire land has been sold in portions by executing various sale deeds.
6. This Hon'ble Court in a judgment titled as "*State of Punjab Vs. Mohinder Singh, 1992(2) R.R.R. 667*" has already held that subsequent sale deeds cannot be tagged with earlier sale deeds to bring the offence within limitation and hence, I do not find any merit in the present appeal and the same is accordingly dismissed.

(ALOK JAIN)
JUDGE

August 23, 2023
Parul

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