

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.

CWP-13867-1995
Date of Decision : 29.11.2023

INDERJIT KAURPetitioner

Versus

THE ADDL. DIRECTOR CONSOLIDATION AND ORS.Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present : Mr. S.S.Salar, Advocate
for the petitioner.

Mr. Maninder Singh, DAG, Punjab.

Mr. A.P.Kaushal, Advocate
for respondents No. 2 and 3.

SURESHWAR THAKUR, J. (Oral)

1. The learned counsel appearing for the litigants before this Court are ad idem that after allowing the writ petition, the *lis* be remanded to the authority concerned.
2. In terms of the said ad idem statement made before this Court, after allowing the writ petition and also after quashing the impugned order, the *lis* is remanded to the statutory authority concerned.
3. The remanded *lis* shall be restored to its original number by the authority concerned, and thereafter, in terms of the recommendation(s) of the Musavra Committee, in terms of the draft consolidation scheme besides in terms of the standard values assigned qua the disputed lands, as, available with the Consolidation Department concerned, thus the statutory authority concerned, shall proceed to make a fresh speaking decision on the relevant *lis*.

4. However, it is clarified that if there is a dispute with respect to entitlement(s) of the litigants, and/or if the dispute does not relate to a mere clerical error being made in the finalized consolidation scheme concerned, thereupon, the learned Authority concerned, shall omit to make a speaking decision on the remanded *lis*, but may proceed to in its wisdom relegate the parties, to in terms of the verdict rendered by this Court, in case titled as '**Parkash Singh and Others Vs Joint Development Commissioner, Punjab and others**' to which **CWP No. 2318 of 2002** became assigned, thus to the Civil Court concerned.

5. Moreover, it is open to the litigants concerned, to raise a dispute with respect to the maintainability of the remanded *lis* before the authority concerned, thus, on the ground of limitation.

6. The said decision on remand be ensured to be made within six months from today but after hearing all affected persons concerned.

(SURESHWAR THAKUR)
JUDGE

(SUDEEPTI SHARMA)
JUDGE

29.11.2023

kavneet singh

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