

CWP-15782-2023

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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Date of Decision : July 25, 2023

VIBHA

-Petitioner

V/S

STATE OF HARYANA AND OTHERS

-Respondents

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

Present : Mr. Rajesh Goyal, Advocate
for the petitioner.

SURESHWAR THAKUR, J. (ORAL)

1. The prayer, as made in the writ petition, relates to a correction being made in the revenue records, in respect of the petition lands, which are averred in the writ petition to be owned by the present petitioner.

2. The above asked for relief cannot be granted in the exercise of writ jurisdiction, as the jurisdiction to make corrections of entries in the revenue records, is squarely vested in the learned Collector concerned, and, this Court would entertain a writ, only at the stage, when a declining order is made by the learned Financial Commissioner concerned.

3. However, be that as it may, despite Annexure P-8 becoming preferred before the learned Collector concerned, yet it appears that no decision has been made thereon by the learned Collector concerned, who however, has the jurisdiction to make orders for correcting the entries in the revenue records.

4. The necessity for the petitioner becoming led to institute

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Annexure P-8 before the learned Collector concerned, thus germinated from the fact, that the present petitioner perceives, that some portion of the land of the petitioner, as comprised in Khasra No.3866, despite not being put to acquisition, yet the mutation of ownership in respect thereof, becoming entered in the name of the acquiring authority concerned. If so, the learned Collector concerned, wherebeforewhom, Annexure P-8 is subjudice is directed to, after eliciting the presence of all concerned, ensure, that in case the above khasra number is not subjected to lawful acquisition, to thereafter proceed to correct the mutation of ownership, as made in respect thereof, in favour of the acquiring authority concerned, and, to thereafter restore the ownership of the khasra number (supra) in favour of the present petitioner.

5. In consequence, with the above observations, the writ petition is disposed of, but with a direction to the learned Collector concerned to, positively within three months from today, make a lawful speaking decision upon Annexure P-8, but after hearing all concerned.

(SURESHWAR THAKUR)
JUDGE

(KULDEEP TIWARI)
JUDGE

July 25, 2023
devinder

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