

In the High Court of Punjab and Haryana at Chandigarh

[102]

(1)

CWP-16762-1996

AMRO KAUR & ANOTHER

..... PETITIONERS

VERSUS

ADDL. DIRECTOR, CONSOLIDATION, PUNJAB,

MOHALI & OTHERS

.....RESPONDENTS

(2)

CWP-19290-1996

GRAM PANCHAYAT VILLAGE BARHI, TEHSIL

KHARAR, DISTT. ROPAR

..... PETITIONER

VERSUS

ADDL. DIRECTOR, CONSOLIDATION, PUNJAB,

MOHALI & OTHERS

.....RESPONDENTS

Date of Decision: 27.02.2024

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Aakash Singla, Advocate for the petitioner (in CWP-16762-1996).

Mr. A.P. Kaushal, Advocate for the petitioner Gram Panchayat (in CWP-19290-1996) for respondent-Gram Panchayat(in CWP-16762-1996).

Mr. Maninder Singh, Sr. DAG, Punjab.

Mr. S.S. Swaich, Advocate for Mr. Sahibjeet S. Sandhu, Advocate for the private respondents.

SURESHWAR THAKUR, J. (ORAL)

1. Since both the writ petitions(supra) arise from a common order, therefore, both the writ petitions(supra), are amenable to be decided through a common verdict.
2. Today all the learned counsels for the parties appearing before

this Court in both cases are, *ad idem*, that the present *lis*, whereons, the

impugned orders Annexure P-1 in *CWP No.19290 of 1996*, and, also Annexure P-4 in *CWP No.16762 of 1996*, thus become recorded, are non-est, as the authority concerned has impermissibly delved into disputed questions of title, as had emerged amongst the contesting litigants, besides, thus, has made an unlawful adjudication thereons, whereas, in the light of expostulations of law made in a Full Bench decision rendered by this Court in case titled as **“Parkash Singh Vs. Joint Development Commissioner, Punjab and others, reported in 2014(2) R.C.R. (Civil) 721,** rather the said dispute being unamenable to become either delved into, nor being amenable to become adjudicated upon by the Additional Director, Consolidation.

4. Therefore, the learned counsels appearing for the parties before this Court are further *ad-idem* that after allowing the present writ petitions and also after quashing the impugned orders Annexures P-1 and P-4 (supra), thus, this Court may reserve liberty to the aggrieved to access the Civil Court remedies, inasmuch as, the aggrieved instituting a declaratory suit before the Civil Court of competent jurisdiction.

5. Ordered accordingly.

6. Both the writ petitions stand disposed of accordingly, along with all pending application(s), if any.

(SURESHWAR THAKUR)
JUDGE

(LALIT BATRA)
JUDGE

February 27, 2024

ANJAL

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