



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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**CWP-18350-1997 (O&M)
Date of decision: 06.09.2024**

AMARJIT SINGH AND ANOTHER**...PETITIONERS****Vs.****FINANCIAL COMMISSIONER (PUNJAB) AND OTHERS****...RESPONDENTS****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

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

Mr. Ramandeep Singh, Senior DAG, Punjab.

JAGMOHAN BANSAL, J (ORAL)

1. The petitioners through instant petition under Articles 226/227 of the Constitution of India are seeking setting aside of orders dated 27.08.1997 (Annexure P-4), 30.04.1984 (Annexure P-3) and 14.12.1983 (Annexure P-2) whereby respondents have declared land of petitioners as surplus.
2. The land of petitioners has been declared surplus by respondents in terms of provisions of Punjab Land Reforms Act, 1972. The respondents initiated proceedings against Mohan Singh who had died on 16.07.1962. The proceedings were initiated much after his death. The order was passed against Mohan Singh who had already died 20 years back.
3. Mr. Ramandeep Singh, Senior DAG, Punjab expressed his inability to controvert the fact that impugned orders have been passed against a person who had already passed away.



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4. It is a settled proposition of law that no notice or order can be served upon a person who has already died. The respondents had initiated proceedings under the aforesaid Act and thereafter passed orders against a person who had already died. The proceedings against a dead person are bad in the eye of law. Thus, impugned orders need to be quashed and accordingly quashed.
5. The authorities are at liberty to pass a fresh order against the successors of Mohan Singh, in accordance with law.
6. Pending miscellaneous application(s), if any, shall also stand disposed of.

06.09.2024	[JAGMOHAN BANSAL]
manoj	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No