

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP No.4522 of 1997 (O&M)
Date of Decision: 09.04.2024

Major Singh

.....Petitioner

Versus

Director, Consolidation of Holdings, Punjab and Ors.

.....Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MRS. JUSTICE SUKHVINDER KAUR

Present: Mr. A.P. Kaushal, Advocate for the petitioner.
Mr. Maninder Singh, Sr. DAG, Punjab.

SURESHWAR THAKUR, J (ORAL)

1. Through the instant writ petition the present petitioner seeks quashing of the impugned order dated 27.05.1996 (Annexure P1), whereby the Director, Consolidation of Holdings, Punjab, Jalandhar, exercising jurisdiction under Section 42 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act 1948, declined relief to the present petitioner whereby he had intended to seek re-distribution and re-partition of lands but after the happening of the fullest termination of the consolidation operations, which occurred in the mohal concerned.
- 2 The above declining order is fully covered by the verdict pronounced by the Full Bench of this Court in case titled as '*Parkash Singh and others Vs. Joint Development Commissioner, Punjab and others*' reported in *2014(2) R.C.R. (Civil) 721*, given the espousal as made by the present petitioner before the statutory authority, relating to makings of mis-allotments or under allotments, thus by the Consolidation Officer

concerned, but on the ground that the valuations of the lands concerned was not purportedly well borne in mind by the Consolidation Officer concerned, besides when the controversy (supra), is declared in verdict (supra), to be amenable to become adjudicated only by the Civil Court concerned, thus as aptly done by the authority in (Annexure P-1).

3 Therefore, if yet the petitioner is aggrieved from Annexure P-1, thereby liberty is reserved to the present petitioner to avail the Civil Court remedy. The said remedy be availed within a fortnight from today and till then the parties are directed to maintain status quo with respect to the disputed lands.

4 Disposed of accordingly.

5 Since the main case itself has been decided, thus, all the pending application(s), if any, are also disposed of.

(SURESHWAR THAKUR)
JUDGE

(SUKHVINDER KAUR)
JUDGE

09.02.2024
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No