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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-19448-2015(O&M)
Date of Decision: January 15, 2024

Darshan Singh and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

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

Mr.Rajesh Gaur, Addl.A.G.Haryana.

.....

RAJESH BHARDWAJ, J.(ORAL)

Petitioners have approached this Court praying for quashing of orders dated 29.10.1959, 17.04.2009, 04.03.2011 and 21.04.2015, Annexure P-4, P-7 to P-9, vide which respondents has declared the 45 SA 14 ³/₄ unit of land of late Sher Singh as surplus under the Punjab Security of Land Tenures Act 1953 and further a writ of mandamus directing respondent No.2 to re-assess the land of Sher Singh in the hands of the petitioners and other legal heirs of Sher Singh after excluding the land transferred by Sher Singh in the year 1953 through family partition in favour of his son for carving out separate permissible area to the adult son of Sher Singh.

Reply by way of affidavit of Sh.Amit Kumar, SDO(C)-cum-prescribed Authority-cum-Allotment Authority, Sonapat, filed by learned State counsel today in Court is taken on record. It has been admitted that order dated 29.10.1959 was challenged, however, learned Financial

Commissioner had incorrectly recorded the same and thus the order is

vitiated and is to be passed afresh.

Learned counsel for the petitioners has also agreed to the same and has stated that in view of this, order dated 21.04.2015 passed by Financial commissioner (Annexure P-9) is to be set aside and direction be issued to learned Financial Commissioner to decide the matter after hearing both the parties.

In view of the above position, the present petition is disposed of. The case is remanded back to respondent No.1-Financial Commissioner, Department of Revenue, to decide the ROR afresh, after hearing counsel for the parties within three months from the date when parties would appear before him. Parties are directed to appear before respondent No.1 on 01.02.2024.

January 15, 2024
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(RAJESH BHARDWAJ)
JUDGE

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| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/No |