



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

LPA No.2420 of 2024

Date of Decision: 01.10.2024

Raminder Singh

.....Appellant.

Versus

State of Punjab and others

.....Respondents.

**CORAM: *HON'BLE MR. JUSTICE G.S. SANDHAWALIA*
*HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA***

Present:- Mr. Lakhwinder Singh Mann, Advocate
 for the appellant.

G.S. SANDHAWALIA, J.(Oral)

Challenge in the present Letters Patent Appeal is to the order dated 19.09.2024 passed by learned Single Judge in *Civil Writ Petition No.23431 of 2024*, whereby learned Single Judge has relegated the appellant to avail the remedy in terms of Section 45 of the Punjab Land Revenue Act, 1887 (for short 'the Act'), while referring to the same.

2. By way of the above-said writ petition, the order dated 04.02.1992 (Annexure P-2) passed by the Consolidation Officer, SAS Nagar, Mohali was sought to be implemented by the appellant, wherein a link to the fields had been provided. The delay, in fact, is about 32 years in filing the writ petition, which weighed with the learned Single Judge in



dismissing the writ petition.

3. We have perused the paper-book and also noticed the provisions of Section 34 of the Act, which provides that any person acquiring, by inheritance, purchase, mortgage, or otherwise, any right in an estate as a land-owner, assignee of land revenue or tenant having a right of occupancy, shall report his acquisition of the right to the Patwari of the estate. Thus, it is the revenue official to act upon the same and the procedure for making an entry in the revenue record has been provided in Section 34 of the Act and as per Section 35 of the Act, the acquisition of any interest in land other than a right referred to in Section 34, shall be recorded by the Patwari. Further, the procedure for determination of disputes has been provided under Section 36 of the Act.

4. In the writ petition, the appellant claimed that his father had filed an application under Section 43-A of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 and on the said application, the order dated 04.02.1992 was passed by the Consolidation Officer, SAS Nagar, Mohali. Thus, it is the order dated 04.02.1992 (Annexure P-2), which was sought to be implemented by filing the writ petition, in which a link to the fields was provided by carving out a path and mutation was sought to be entered into.

5. Since there was a delay of almost 32 years on the part of the appellant in filing the writ petition, learned Single Judge has rightly dismissed the same, while observing that in case the petitioner was



aggrieved against any entry in the revenue record, he could have availed his remedy/ies in terms of Section 45 of the Act but no such course appeared to have been adopted by the appellant or his predecessor-in-interest, for over three decades.

6. In such circumstances, we are of the considered opinion that the impugned passed by the learned Single Judge does not suffer from any infirmity, which would warrant interference in the present letters patent appeal. Resultantly, the instant letters patent appeal is dismissed in *limine*.

(G.S. SANDHAWALIA)
JUDGE

(MEENAKSHI I. MEHTA)
JUDGE

October 01, 2024
Yag Dutt

Whether speaking/reasoned: Yes
Whether Reportable: No