



RSA-745-2022 (O&M)

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

RSA-745-2022 (O&M)

Date of decision :17.03.2025

Gurdev Singh

..... Appellant

Versus

Gram Panchayat, Village Bhinder Kalan & anr.

..... Respondents

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :- Mr. N.K.Manchanda, Advocate
for the appellant.

PANKAJ JAIN, J. (ORAL)

1 Plaintiff is in second appeal. For convenience, parties hereinafter are referred to by their original position in the suit i.e. appellant as plaintiff and respondents as defendants.

2 Plaintiff filed suit for declaration challenging resolution No.4 dated 30.06.2000 passed by Gram Panchayat whereby Garrah No.2 measuring about 3 marlas earlier allotted to Mangal Singh (father of the plaintiff) was resolved to be re-allotted to defendant No.2.

3 Learned counsel for the plaintiff does not dispute that the Garrahs were allotted by the panchayat to the land holders cultivating land within the revenue estate of village. The same were to be used by the farmers for storing manure, etc. The allotment in favour of Mangal Singh (father of the plaintiff) was also merely for user. After death of Mangal Singh, appellant-plaintiff has re-located in a different village and has no land left for cultivation in the village. The object of the allotment being user with



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intent to help the cultivators to store their manure and other farm equipments etc., the plaintiff having lost his status as cultivator in the village is not entitled for declaration as prayed for. The allotment merely authorized Mangal Singh-father of the plaintiff to use the land as a licensee. The license to use being not inheritable, the Courts below rightly rejected the claim of the plaintiff.

4 Finding no merits in the present appeal, the same is ordered to be dismissed.

17.03.2025

Pooja Sharma-I

**(PANKAJ JAIN)
JUDGE**

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No