



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

RSA-1219-2021 (O&M)

Reserved on : 09.09.2025

Pronounced on : 22.09.2025

Municipal Corporation, Faridabad

....Appellant

VERSUS

Suresh Kumar

....Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Vishal Garg, Advocate for the appellant.
(joined through hybrid mode).

ALKA SARIN, J.

1. The present regular second appeal has been filed against the judgment and decree dated 18.02.2020 passed by the Additional District Judge, Faridabad dismissing an appeal filed by the defendant-appellant against the judgment and decree dated 05.02.2019 passed by the Civil Judge (Jr. Division), Faridabad decreeing the suit for declaration of the plaintiff-respondent.

2. Brief facts relevant to the present *lis* are that Ram Chand and Har Chand sons of Wazir son of Mem Raj were owners in possession of the suit land measuring 149 kanals 19 marlas situated in the revenue estate of Lakkarpur, Tehsil and District Faridabad. Said Ram Chand had sold 8/150 shares out of the land measuring 16 kanals vide two registered sale deeds dated 04.02.1986 in favour of the plaintiff-respondent, who was also put in actual physical possession thereof. Ram Chand predecessor-in-interest of the plaintiff-respondent alongwith his brother were alleged to have been in

physical possession of the suit land long before 26.01.1950 and had become full-fledged owner of the suit land which was less than his share in the *shamlat* area. The defendant-appellant having no right, title or interest in the same, colluded with the revenue officials and the office bearers of erstwhile Gram Panchayat of village Lakkarpur, Tehsil and District Faridabad and got the suit land and certain other land mutated in favour of the Gram Panchayat in the revenue records. The entries in the revenue record were alleged to be *void ab initio* and it was pleaded that after coming into the force of the Faridabad Complex (Regulation and Development) Act, 1971 all the assets and liabilities of the Gram Panchayat of village Lakkarpur purportedly vest in the Faridabad Complex Administration. However, subsequently, the Haryana Municipal Corporation Act came into force and all the assets and liabilities of the Faridabad Complex Administration vested in the Municipal Corporation Faridabad by operation of law, which was substituted in ownership column of the revenue record in place of the Gram Panchayat. It was further pleaded that the plaintiff-respondent and said Ram Chand were in actual physical possession of the suit land in dispute for the last more than 50 years and hence had become owners by adverse possession as well. It was pleaded that a similar civil suit was filed by Ram Chand etc. against the Faridabad Complex Administration which was decreed on 15.06.1993 by the then Sub-Judge, Ist Class, Faridabad and the appeal was also dismissed by the then Additional District Judge, Faridabad vide judgment and decree dated 22.11.1994. In the written statement, the defendant-appellant had pleaded that it is the owner of the land in dispute, which was shown as a

Gair Mumkin Pahar, and possession goes in its favour and the entries as regards possession and cultivation in the names of Ram Chand and Har Chand were wrongly entered in the revenue record. The sale deed was also alleged to be void and not binding on the rights and title of the defendant-appellant.

3. The Trial Court after hearing the parties and going through the evidence on record had decreed the suit with costs vide impugned judgment and decree dated 05.02.2019. The appeal filed by defendant-appellant was dismissed by the First Appellate Court vide the impugned judgment and decree dated 18.02.2020. Hence the present Regular Second Appeal.

4. Undisputedly, earlier similar ***Civil Suit No.471 of 1990/1989 titled as “Ram Chand & Ors. Vs. Faridabad Complex Administration”*** on the same pleas regarding the land measuring 104 Kanals 9 Marlas, forming part of the same khewat in which the suit land is situated, was decreed by the Trial Court vide Judgment and decree dated 15.06.1993 and the first appeal was dismissed by the Additional District Judge, Faridabad vide judgment and decree dated 22.11.1994. Thereafter, Regular Second Appeal No.497 of 1995 filed by the defendant-appellant therein was also dismissed by this Court vide judgment dated 29.05.2018 and ultimately ***SLP (Civil) No.40644 of 2018*** was also dismissed by the Hon’ble the Supreme Court vide order dated 31.01.2020.

5. In the impugned judgment dated 18.02.2020, the First Appellate Court had also noticed the similarity of above civil suit and the factum of suit land therein forming part of the same Khewat.

6. The proposition involved in the present appeal, is squarely covered by the judgment of this Court in **Ram Chand's case** *supra* which has attained finality. Therefore, the present appeal is hereby dismissed being squarely covered by the judgment of this Court in **Ram Chand's case** *supra*. Pending application(s), if any, also stands disposed off.

22.09.2025

Ankur

(ALKA SARIN)
JUDGE

NOTE : Whether speaking/non-speaking: Speaking
Whether reportable: Yes/No