

2025:PHHC:125687



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

CWP-27120-2025

Date of Decision: 11.09.2025

Harvinder Kaur

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Baljinder Singh, Advocate
for the petitioner.

Mr. Harpreet Singh, AAG, Punjab.

HARSH BUNGER J. (ORAL)

Petition herein is, *inter alia*, for issuance of a writ in the nature of Mandamus, directing official respondents No.3 and 4 to initiate demarcation proceedings as per notices/orders dated 10.05.2025 (Annexure P-3), 10.06.2025 (Annexure P-4) and 04.07.2025 (Annexure P-5) passed by the learned Field Kanoongo, Samana.

2. Briefly, petitioner claims to be the owner of land comprised in Khewat No.39/390 Khatauni No.71, Khasra No.35//22 (8-6), Khatauni Nos.76 Khasra No.35//18 (2-18), 35//19 (8-0) 35//20 (6-18), Khatauni No.77 Khasra Nos.9//24 (8-0) 9//25 (8-0), 10//21 (7-0), 61/7/2 (2-0), Khatauni No.78 Khasra Nos.10//23 (8-0), 10//24 (8-0), measuring in total 59 Kanals-2 Marlas, situated at Village Fateh Majri, Tehsil Samana, District Patiala, as per jamabandi for the year 2022-23. It is further stated that after the death of

the petitioner's husband in the year 2012, the private respondents took possession of the aforesaid land, and the petitioner got the possession back, vide possession proceedings dated 10.05.2022 (Annexure P-1).

2.1 It is stated that the private respondents again took possession of the aforesaid land and further proceeded to cut and remove the crops therefrom, whereupon the petitioner approached the local police authorities, but no action was taken.

2.2 The petitioner further states that she submitted a representation before the learned Deputy Commissioner, Mini Secretariat, Patiala (respondent No.2), seeking fresh demarcation and restoration of possession; whereupon, notices/orders dated 10.05.2025 (Annexure P-3), 10.06.2025 (Annexure P-4) and 04.07.2025 (Annexure P-5) were issued by the concerned revenue authorities. However, despite the passing of the said orders, the demarcation proceedings have not been carried out.

3. In the aforementioned circumstances, petitioner has filed the present writ petition before this Court, seeking relief(s) as noticed hereinabove.

4. Heard.

5. The petitioner claims to be the owner of the aforementioned land and as per her own pleadings, the possession thereof was earlier taken by the private respondents; however, vide possession proceedings dated 10.05.2022 (Annexure P-1), she got the possession back of her land. Thereafter, the private respondents again took over the possession of her land and also cut the crops therefrom, whereupon, she submitted a representation before respondent No.2 – Deputy Commissioner, Mini Secretariat, Patiala, seeking demarcation and restoration of possession.

6. In my considered view, if the petitioner was in possession of the

land, as claimed by her, and the same was subsequently taken over by the private respondents, the proper remedy available to her would be to approach the Court of competent jurisdiction for seeking possession of her land. The revenue authorities, merely on the basis of an application for demarcation, cannot put the petitioner in possession of the land.

7. Even otherwise, the matter involves disputed questions of fact, that would require leading of evidence, which is not permissible before this Court.

8. Keeping in view the totality of circumstances, the present writ petition is dismissed, however, leaving it open to the petitioner to avail other remedies, as may be available to her, in accordance with law.

9. All pending application(s), if any, shall also stand closed.

11.09.2025*Apurva***(HARSH BUNGER)
JUDGE**

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No