

132 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-31077-2024 (O/M)
Date of decision : 13.01.2025

Prince Garg Petitioner

Versus

Financial Commissioner, Punjab and others Respondents

CORAM : HON'BLE MR. JUSTICE HARSH BUNGER

Present :- Mr. Vikas Mehsempuri, Advocate
for the petitioner.

Mr. Navneet Singh, Senior DAG Punjab.

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HARSH BUNGER, J. (ORAL)

1. Petitioner (Prince Garg) has filed the instant civil writ petition under Articles 226/227 of Constitution of India, inter alia, seeking a writ in the nature of certiorari for setting aside the order dated 06.04.2023 (Annexure P-8), passed by learned Collector Agrarian, Sangrur, order dated 12.10.2023 (Annexure P-10), passed by the learned Commissioner, Patiala Division, Patiala and order dated 01.07.2024 (Annexure P-14), passed by learned Financial Commissioner, Punjab.

2. Briefly, the petitioner is stated to have moved various representations (Annexure P-1 to Annexure P-3) against respondents No. 5 to 7, stating that they own about 100 acres of land in their names in different villages/cities of Punjab, which is in violation of provisions of Punjab Land Reforms Act, 1972, therefore, they may not be permitted to sell land in excess of 17.5 acre to anybody.

2.1 It appears that the aforesaid representations submitted by the petitioner were marked to learned Collector (Agrarian), Sangrur, who

further got the matter inquired into from Tehsildar concerned. Thereafter, the learned Collector Agrarian, Sangrur, passed the order dated 06.04.2023 (Annexure P-8) holding that none of the area of Shri Megh Raj and others was found to be surplus and the proceedings were dropped. An appeal filed by the petitioner against aforesaid order dated 06.04.2023 (Annexure P-8) was dismissed by learned Commissioner, Patiala Division, Patiala, vide order dated 12.10.2023 (Annexure P-10), by observing as under :-

“7. I have given my thoughtful consideration to the submissions made by both the parties and have also closely perused the record as is available on the file. In this case the appellant had filed an application to declare the land as Surplus in the hands of Megh Raj son of Hari Ram to the Deputy Commissioner, Sangrur, who transferred the application to the Collector Agrarian-Cum-ADC, Sangrur for further proceedings. The Collector asked the report from Tehsildar Agrarian, who submitted his report and the respondent no. 2 to 4 also submitted their returns and filed affidavits. After hearing both the parties and considering the report submitted by the Tehsildar, the Collector assessed the valuation keeping in view the provisions of Punjab Land Reforms Act, 1972. Rule 12 of the Punjab Land Reforms Rules, 1973 was also kept in view while making valuation of the land in dispute. After valuation of the land in dispute, the Collector came to the conclusion that there is no surplus land in the hands of respondent no. 2 to 4 as alleged by the appellant in his application. The Collector has given complete detail in the impugned order while making calculations of the property in dispute. The land of ownership of respondent no. 2 and 3 has been considered as one unit being husband and wife and they had 4.28.02 hectare of first quality land, which is within permissible

limits. Similarly, the respondent no. 4 has 4.76.14 hectare of first quality land which is also within permissible limits. The Collector has rightly dropped the surplus proceedings against the respondent no. 2 to 4. Moreover, in the reply submitted on behalf of respondent no. 1, it has been admitted that the Collector has rightly passed the order after assessing the value of the property correctly as per the provisions of Punjab Land Reforms Act, 1972 and there is no surplus land in the hands of respondent no. 2 to 4. The appellant has failed to adduce any cogent evidence to prove his contentions. The appellant has filed the present appeal without any substantive reason just to litigate the matter. The Collector has passed a detailed speaking order after discussing each and every fact minutely. In view of the above, I do not find any reason to interfere with the order passed by the Collector. The appeal filed has no merits and the same is hereby dismissed.”

2.2 A further revision petition (ROR-1289-2023) filed by petitioner against order dated 12.10.2023 (Annexure P-10) has also been dismissed by the learned Financial Commissioner, Punjab, vide order dated 01.07.2024 (Annexure P-14).

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

4. During the course of arguments, learned counsel for petitioner has failed to dislodge the findings returned by the revenue authorities below nor has it been shown as to what document/material has not been considered by the revenue authorities in passing the impugned orders. Rather, it is candidly stated by learned counsel for petitioner that

all the sale deeds mentioned by petitioner were considered by the revenue authorities below.

5. In this view of the matter, I find no merit in the instant civil writ petition and the same is accordingly dismissed.

6. Pending application (s), if any, shall also stand closed.

(HARSH BUNGER)
JUDGE

13.01.2025
sjks

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No