



213

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**CWP-13295-1999 (O&M)****Date of Decision : 12.05.2026**

Zile Singh

... Petitioner

Versus

The Director, Consolidation of Holdings, Haryana & Ors.

... Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN**HON'BLE MR. JUSTICE RAMESH CHANDER DIMRI**

Present : None for the petitioner.

Mr. Pradeep Prakash Chahar, Sr. DAG Haryana
for respondent No.1.

None for respondent No.2.

Mr. K.S. Malik, Advocate for respondent Nos.3 and 4.

ALKA SARIN, J. (Oral)

1. Prayer in the present writ petition is for quashing of order dated 28.11.1997 (Annexure P-3) passed by respondent No.1, on an application filed by respondent Nos.3 and 4 under Section 42 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 for construction of an alternate path. During the pendency of the present petition an application being CM-4166-2011 has been filed by respondent Nos.3 and 4, who had also filed the application under Section 42 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948. It has been stated in the application that respondent Nos.3 and 4 would have no objection if the order dated 28.11.1997 passed by the Director, Consolidation is set aside as earlier passage/Rasta No.868 has been set at right by the Gram Panchayat and respondent Nos.3 and 4 have been using the same for ingress and egress to

their field. Learned counsel further states that in view of the stand taken by the respondent Nos.3 and 4 in CM-4166-2011, which is duly supported by an affidavit of respondent No.3, the present writ petition may be allowed and the impugned order dated 28.11.1997 be set aside.

2. Learned State counsel states that he has no objection as the application under Section 42 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 was filed by the private respondents and the dispute is between the petitioner and the private respondents.

3. In view of the application (CM-4166-2011) and the stand of learned counsel for respondent Nos.3 and 4, the order dated 28.11.1997 (Annexure P-3) is set aside. Consequently, mutation, if any, entered on the basis of the said order is also set aside and if any excess land, which was to be used, was taken from respondent Nos.3 and 4 pursuant to order dated 28.11.1997 (Annexure P-3) passed by the Director, Consolidation of Holdings, Haryana, the same shall be returned.

4. In view of the fact that present writ petition is allowed, there would be no requirement for issuance of fresh notice to the petitioner.

5. Disposed off according. Pending applications, if any, also stand disposed off. Copy of this order be communicated to the petitioner.

(ALKA SARIN)
JUDGE

12.05.2026
jk

(RAMESH CHANDER DIMRI)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO