



CWP-13187-2026 (O&M)

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

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CWP-13187-2026 (O&M)

Date of decision: 30.04.2026

**Kissan Sangharsh Morcha, Dhaar Kalan through
its Authorized Representative Surjit Singh**

....Petitioner

Vs.

State of Punjab and others

....Respondents

CORAM : HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Lalit Goyal, Advocate
for the petitioner.

Mr. Navneet Singh, Addl. A.G. Punjab.

HARSH BUNGER J. (Oral)

1 Petition herein is, *inter alia*, seeking a writ in the nature of Mandamus, for directing the respondent No.1 – Additional Chief Secretary-cum-Financial Commissioner, Punjab, to decide the representation dated 19.11.2024 (Annexure P-4) in a time bound manner.

2. Briefly, in the representation dated 19.11.2024 (Annexure P-4), prayer of the petitioner is that the area measuring 27550 acres of Tehsil Dhar Kalan, District Pathankot has been transferred and mutated in name of Forest Department in terms of order dated 11.02.2014 passed by this Court in CWP-8706-1988. It is claimed by the petitioner that this land was under the possession of the farmers.

2.1 It is contended that in the aforesaid writ petition i.e. CWP-8706-1988, only the issue pertaining to the farmers of village

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Doong was decided, whereas the farmers of other 79 Gram Panchayats of Tehsil Dhar Kalan were neither made party in the writ petition nor at any stage informed, till the issuance of letter dated 10.08.2018 by learned Deputy Commissioner, Pathankot.

3. It transpires that in the representation dated 19.11.2024 (Annexure P-4), petitioner(s) have claimed that most of the land out of 27550 acres was partitioned during the consolidation operation and even after passing of the order dated 11.02.2014, the said land was being sold out and even bank loans have been taken thereon. Accordingly, the prayer has been made in representation dated 19.11.2024 (Annexure P-4) that the mutation in respect of 27550 acres land of Tehsil Dhar Kalan be cancelled and restored to the landholders in terms of Section 2(g)(viii) and Section 11 of the Punjab Village Common Land (Regulation) Act, 1961.

4. The petitioner(s) state that despite the submission of the aforesaid representation dated 19.11.2024 (Annexure P-4), no substantial action has been taken thereon, accordingly the present writ petition has been filed before this Court, for seeking relief(s) as noticed hereinabove.

5. I have heard the learned counsel for the petitioner(s) and perused the paperbook with his able assistance.

6. In the representation dated 19.11.2024 (Annexure P-4), it is the petitioner's own pleaded case that 27550 acres of land of Tehsil Dhar Kalan, District Pathankot has been transferred and mutated in the name of Forest Department in terms of order dated 11.02.2014 passed by this Court in CWP-8706-1988. It is also borne out from the representation dated



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19.11.2024 (Annexure P-4), that the petitioner(s) learnt about the order passed in CWP-8706-1988 and also the consequent mutations in respect of 27550 acres land in the month of August 2018.

7. Concededly, the instant writ petition has been filed after a gap of more than 7 years from the date the petitioner(s) learnt about the aforesaid proceedings in CWP-8706-1988 as well as the mutation, therefore, the instant writ petition clearly suffers from delay and laches.

8. That apart, in case the petitioner(s) have any right, title or interest in the land in question, in that eventuality petitioner(s) are well within their rights to put forth their claim by initiating appropriate proceedings before the Court of competent jurisdiction, however, no such recourse appears to have been taken by petitioner(s). Furthermore, in case the petitioner(s) were aggrieved as regards the order dated 11.02.2014 passed in CWP-8706-1988 and/or the consequent mutation, in that eventuality also, the petitioner(s) should have availed their legal remedies, which is apparently missing in the present proceedings.

9. Even otherwise, petition raises disputed questions of fact, which would require leading of evidence which is not permissible in the present proceedings.

10. In view the above, the present petition stands ***dismissed***.

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

(HARSH BUNGER)
JUDGE

30.04.2026
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No