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

RSA-4796-2015 (O&M)

Date of decision : 15.01.2026

D.A.V. College Managing Committee and another

....Appellants

Versus

Pritam Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Ravi Kapur, Advocate
for the appellants.

Mr. Amardeep Singh Gill, Advocate
for the respondent.

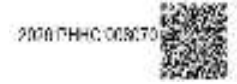
Mr. H.P.S. Ishar, Addl. A.G., Punjab.

PANKAJ JAIN, J. (ORAL)

Defendants are in second appeal. For convenience, the parties hereinafter are referred to as by their original position before the Court of First Instance i.e., the appellants as defendants and the respondent as plaintiff.

2. Plaintiff filed suit seeking possession of land comprised in Khasra Nos.31969/17011/421, 31970/17011/421, 31972/17011/421, 31975/17011/421.

3. Plaintiff claims to be a Non Resident Indian. As per him, he has land adjoining hostel run by the defendants. Plaintiff claims that the defendants have encroached upon land owned by him.



4. Suit was contested by the defendants disputing the demarcation relied upon by the plaintiff to allege encroachment. Defendants claimed that the foundation stone for hostel, in question, was laid down on 25.02.1945. Prior to the partition of the country in the year 1947, boundary wall was raised. Possession of the defendants is adequate, in continuity and in existence since 1947 to the knowledge of the whole world. Thus, plaintiff has no right, title or interest to maintain the present suit.

5. Both the Courts below decreed the suit filed by the plaintiff relying upon demarcation report conducted by the Revenue Authorities.

6. An effort was made to get the matter settled by this Court.

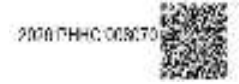
7. Plaintiff was asked as to whether he is ready to accept the market price of the land. Mr. Gill, on instructions from the plaintiff submitted that the land under the possession of the defendants is about 16 Marlas. He has instructions from the plaintiff to accept the current market price of 16 Marlas of land @ Rs.5,50,000/- per marla.

7.1. The proposal was put to Mr. Kapur, who sought time to seek instructions. Mr. Kapur failed to respond.

7.2. Matter was heard on 19th of December, 2025. Mr. Kapur raised issue regarding validity of the demarcation report relied upon by the Courts below.

8. On 19th of December, 2025, following order was passed:

“[1] The dispute in the present issue relates to alleged encroachment by the appellants over the land owned by the



plaintiff-respondent comprised in khasra Nos.31969/17011/421, 31970/17011/421, 31972/17011/421, 31975/17011/421.

[2] So far as the ownership of the land is concerned, the same is not in dispute. The only issue raised by the appellants is as to whether the demarcation was conducted in accordance with law or not?

[3] On the last date, this Court passed the following order:-

“Mr. Gill to seek instructions whether the respondents are agreeable to the proposal regarding the land demarcated afresh.

Adjourned to 19.12.2025.

To be shown in urgent list”

[4] Today plaintiff-respondent has come present. On his instructions, Mr. Gill, counsel for the respondent, submits that he has no objection if the land is demarcated.

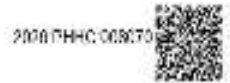
[5] In view of the above, the concerned Tehsildar is directed to demarcate the land with the aid of DGPS in accordance with law and to submit report. It shall specify any encroachment made by the defendants-appellants on the land. Report be submitted before the next date of hearing.

[6] The District Collector, Jalandhar, to ensure due compliance of the order and that the report is submitted before the next date of hearing.

[7] The demarcation shall be conducted after giving due notice to both the parties.

Adjourned to 15.01.2026.”

9. Today report by way of affidavit of Jagsir Singh Mittal, Tehsildar, Jalandhar-1, District Jalandhar has been filed. The same is taken on record.



- 10. Revenue Authorities have confirmed encroachment by the defendants over the suit property.
- 11. In view of above, finding no merit in the present appeal, the same is ordered to be dismissed.
- 12. Pending application, if any, shall also stands disposed off.

January 15, 2026			(Pankaj Jain)
Dpr			Judge
	Whether speaking/reasoned	:	Yes/No
	Whether reportable	:	Yes/No