

Case No. 33/2014
(Sh. Nathan Singh Gulshan & Ors. Vs. Gaon Sabha
Chandanhola & Ors.)

07.03.2014

Present: Sh. Rajeshwar Dagar, Counsel for the petitioners.

1. This order shall dispose of the revision petition filed by the petitioners, Sh. Nathan Singh Gulshan & Ors. under Section 42 of East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 against the impugned order dated 07.02.2014 passed by the B.D.O. (South) vide which by way of public notice petitioners have been directed to remove their unauthorized occupation from the land comprising in Khasra no. 109 in village Chandanhola as the same is Gaon Sabha land and is earmarked for Rasta/Phirni as per Revenue Record, failing which encroachment from this land shall be removed by demolition.
2. Sh. Rajeshwar Dagar, Ld. Counsel for the petitioners presented the case in detail. He submitted that besides the present suit land, the petitioners are also co-owners/bhumidars in respect of agricultural land comprising in Khasra no. 625(2-13) situated in the adjoining revenue estate of village Fatehpur Beri. He further proposed that in lieu of the present suit land, the petitioners are willing to provide equal area/size/value of land from this said Khasra no. 625(2-13) situated in the adjoining village Fatehpur Beri. The proposal of the petitioners does not merit intervention as the Consolidation Officer of a particular village does not have jurisdiction/power over the estate of an adjoining village. Hence the revision petition is dismissed *in limine* being devoid of merits at the admission stage itself.
3. Copy of this order be given 'dasti' to the petitioner.
4. File be consigned to record room after completion.

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Financial Commissioner
Delhi.