



CWP-16590-1996 (O&M)  
 CWP-16979-2003 (O&M)  
 RSA-2197-2000 (O&M)

-1-

201 (3 cases)

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

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**Date of Decision: 12.09.2025**

**(I) CWP-16590-1996 (O&M)**

Mangat Ram (Deceased) Through LR. .... Petitioners

Versus

State of Haryana and others .... Respondents

**(II) CWP-16979-2003 (O&M)**

Harbhajan Singh and others .... Petitioners

Versus

Financial Commissioner, Haryana and others .... Respondents

**(III) RSA-2197-2000 (O&M)**

Harbhajan Singh (Deceased) Through LR. .... Appellants

Versus

Sangat Ram and others .... Respondents

**CORAM: HON'BLE MR. JUSTICE HARSH BUNGER**

Present: Mr. Avnish Mittal, Advocate and  
 Ms. Ishika Jain, Advocate  
 for the petitioner(s) in CWP-16590-1996,  
 for respondents No.2 and 3 in CWP-16979-2003 and  
 for respondent No.1 in RSA-2197-2000.

Mr. B.S. Bedi, Advocate, Mr. Simar Bedi, Advocate and  
 Mr. Gurfateh Singh Mann, Advocate  
 for the petitioner(s) in CWP-16979-2003,  
 for the appellant(s) in RSA-2197-2000 and  
 for private respondents in CWP-16590-1996.

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CWP-16590-1996 (O&M)  
CWP-16979-2003 (O&M)  
RSA-2197-2000 (O&M)

-2-

**HARSH BUNGER J. (ORAL)**

This order shall dispose of two Civil Writ Petitions and one Regular Second Appeal, bearing CWP-16590-1996, CWP-16979-2003 and RSA-2197-2000, respectively, as they arise out of common facts. The brief summary of the aforesaid three cases is as under:-

**CWP-16590-1996**

2. Prayer in the said writ petition is for setting aside order dated 12.08.1994 (Annexure P-8) passed by learned Commissioner, Rohtak Division, Rohtak and order dated 20.06.1996 (Annexure P-9) passed by learned Financial Commissioner, Haryana in respect of khasra girdawari entries.

2.1 In this writ petition, the case of the petitioner- Mangat Ram is that he along with his brother was in cultivating possession of land comprised in Killa No.496 measuring 3 kanals 10 marlas and Killa No.497 measuring 1 kanal 4 marlas, which was duly reflected in the jamabandi for the year 1981-82 and also in the khasra girdawari for the crops Rabi 1982 upto Rabi 1987. It is stated that private respondents No.4 to 7 in this writ petition, in collusion with the concerned Patwari got the entries in the cultivation column of jamabandi for the year 1986-87 changed and in those circumstances, the petitioner- Mangat Ram had to file a civil suit for declaration claiming that the entries in the jamabandi for the year 1986-87 were incorrect. The said suit was stated to be pending at the relevant time. It is the case of the petitioner in this writ petition that as regards the wrong entries in the subsequent khasra girdawaris, he submitted a complaint before learned Deputy Commissioner, who vide order dated 19.11.1990 (Annexure P-4) directed that the khasra girdawari entries be corrected in favour of the petitioner- Mangat Ram for the crop Kharif 1990.

CWP-16590-1996 (O&M)  
CWP-16979-2003 (O&M)  
RSA-2197-2000 (O&M)

-3-

2.2 The aforesaid order (Annexure P-4) was challenged by the private respondents in the instant writ petition, by filing an appeal before learned Commissioner, which was dismissed, however, a revision preferred before learned Financial Commissioner was disposed of by remanding the matter to learned Commissioner.

2.3 Upon remand, the learned Commissioner, vide order dated 12.08.1994 (Annexure P-8) set aside the Collector's order dated 19.11.1990 (Annexure P-4). Thereafter, the petitioner- Mangat Ram preferred a revision before learned Financial Commissioner, which was dismissed vide order dated 20.06.1996 (Annexure P-9).

**CWP-16979-2003**

3. Prayer in this writ petition is for setting aside order dated 06.06.2001 (Annexure P-1) passed by learned Commissioner, Rohtak Division, Rohtak and order dated 15.11.2002 (Annexure P-2) passed by learned Financial Commissioner, Haryana whereby the partition proceedings in respect of land comprised in khewats No.45 and 46 (as per jamabandi for the year 1986-87) were ordered to be adjourned *sine die* till the final decision of the civil suit with regard to the disputed jamabandi.

**RSA-2197-2000**

4. The instant appeal arises from judgment and decree dated 16.12.1998 passed by learned Civil Judge (Junior Division), Karnal whereby a suit for declaration filed by Sangat Ram and Mangat Ram was decreed. In the said appeal, challenge has also been made to the judgment and decree dated 10.01.2000 passed by the Additional District Judge, Karnal, whereby an appeal filed against the aforesaid judgment and decree dated 16.12.1998 passed by learned trial Court was dismissed.

4.1 It is required to be noticed that the suit filed by Sangat Ram and



CWP-16590-1996 (O&M)  
CWP-16979-2003 (O&M)  
RSA-2197-2000 (O&M)

-4-

Mangat Ram was decreed to the following effect :-

*“13. In view of my findings on all the issues, the suit of the plaintiffs is decreed with cost, whereby a decree for declaration is passed to the effect that the entries recorded in jamabandi for the year 1986-87 in column No.3 of cultivation showing the defendants to be in possession as purchaser, are wrong, illegal, null and void and not binding upon the rights of the plaintiffs and the same are liable to be corrected and instead of the names of defendants, it is the names of the plaintiffs which is to be incorporated in the same and further a decree for permanent injunction is hereby passed restraining the defendants illegally and forcibly dispossessing the plaintiffs from the suit property. However, except in due course of law, since suit land is still joint of the parties and the possession of the plaintiffs over the suit property is that of a co-sharer though in exclusive possession. Hence with these observations, the suit of the plaintiffs is decreed with cost of the suit. Decree sheet be prepared accordingly and file be consigned to record room.”*

5. I have heard learned counsel for the parties and perused the paper books with their able assistance.

6. During the course of hearing, the parties have arrived at the following consensus :-

(i) Neither of the parties would insist on enforcement of any of the findings returned by the trial Court or by the Appellate Court below in the civil proceedings which have been now impugned in the aforesaid appeal (RSA-2197-2000).

(ii) The parties are *ad idem* that the land purchased by Harbhajan Singh and others vide sale deed dated 26.05.1979 forms a part of joint land comprised in khewat No.45 as per *jamabandi* for the year 1986-87. Similarly, it is also not disputed that the land purchased by Mangat Ram and Sangat Ram to the



CWP-16590-1996 (O&M)  
CWP-16979-2003 (O&M)  
RSA-2197-2000 (O&M)

-5-

extent of 16 bighas 0 biswa, purchased by them vide sale deed dated 14.04.1978; also forms part of joint khewat No.45 as per *jamabandi* for the year 1986-87.

(iii) Any entry in the revenue record for the year 1986-87 recording the exclusive possession of any of the parties or any similar entries appearing in the subsequent *jamabandis* shall be ignored and none of the parties would insist reliance thereon.

(iv) The parties would get their respective shares partitioned from the revenue authorities in the partition proceedings initiated by Harbhajan Singh and others in the year 1991 {which proceedings were put on hold by learned Commissioner, Rohtak Division, Rohtak (presently, Karnal Division, Karnal) vide order dated 06.06.2001}.

(v) Till the time the partition proceedings are concluded, both the parties shall maintain status quo regarding possession (as existing, as on date).

(vi) In case any other party is a co-sharer in the joint khewat under partition (as per *jamabandi* for the year 1986-87), he/she shall also be entitled to his/her share of land.

7. Keeping in view the above, all the aforesaid three matters are disposed of as per the above extracted settlement between the parties. However, considering the fact that the matters have been pending since the year 1990, I deem it appropriate to direct the revenue authorities to conclude the partition proceedings within a period of six months from the date of appearance of the parties before it, subject to any legal impediment or any order passed by the higher authorities.

7.1 The parties are directed to appear before the Assistant Collector,



CWP-16590-1996 (O&M)  
CWP-16979-2003 (O&M)  
RSA-2197-2000 (O&M)

-6-

Nilokheri, Karnal on 27.10.2025.

8. All the pending application(s), if any, shall also stand closed.
9. Photocopy of this order be placed on the files of other connected matters.

**12.09.2025**

*Himani*

**(HARSH BUNGER)**  
**JUDGE**

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No