



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

**105**

**CM-1256-LPA-2025 in/and  
LPA-484-2025 (O&M)  
Date of Decision: 15.09.2025**

**Ajit Singh (since deceased) through his LR**

**....Appellant**

**Versus**

**Financial Commissioner, Revenue, Punjab and others**

**....Respondents**

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI  
HON'BLE MR. JUSTICE VIKAS SURI**

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**Present:** Mr. Navjot Singh, Advocate  
for the appellant.

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**Harsimran Singh Sethi, J. (Oral)**

**CM-1256-LPA-2025**

This is an application under Section 5 of the Limitation Act for condonation of delay of 34 days in filing the appeal.

Keeping in view the facts mentioned in the application, the same is allowed and the delay of 34 days in filing the appeal is condoned.

**LPA-484-2025 (O&M)**

1. In the present appeal, the challenge is to the impugned order dated 12.12.2024 in CWP-11990-2001 passed by the learned Single Judge, by which, the writ petition filed by the appellant challenging the order dated 29.05.2001 passed by the authorities for cancellation of the allotment of land



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comprised in *khasra* No.565 in Village Jamalpur, Tehsil Phagwara, District Kapurthala vide an allotment letter dated 03.01.1994 (Annexure P-3) in favour of one Hira Nand, which was the subject matter before the learned Single Judge, was rejected.

2. Learned counsel appearing on behalf of the appellant argues that there was a valid allotment in favour of Hira Nand and being the General Power of Attorney of Hira Nand, one Satish Kumar had executed a sale deed on 17.02.1994 (Annexure P-7) in favour of the appellant and therefore, the appellant had full right to claim the land in question, allotment of which, in favour of Hira Nand was set aside vide order dated 29.05.2001 (Annexure P-9) by the Financial Commissioner, which fact has not been appreciated by the learned Single Judge in the correct perspective.

3. We have heard the learned counsel for the appellant and have gone through the record with his able assistance.

4. Firstly, the land was allotted in favour of Hira Nand, wherein suspicion arose whether the said allotment is valid or not, as the whereabouts of Hira Nand were not known and he never appeared and nobody knew who, Hira Nand is, to whom the land was allotted on 03.01.1994 (Annexure P-3).

5. Further, once a person, who was the allottee, has never raised any objection qua the cancellation of the same, the appellant has raised the objection and claimed to be the person, who claims to have purchased the land but, a finding has been recorded by the learned Single Judge that though a sale deed dated 17.02.1994 is being brought on record but, the sale consideration in pursuance to the sale deed has not been proved, which clearly shows that the said sale deed is otherwise a sham.



6. As held by the Hon'ble Supreme Court of India, any sale deed without consideration is not a valid sale. The sale of an immovable property must involve a price and the payment of price is an essential component for a valid sale even if it is payable in the future. Hence, a sale without consideration is not a valid sale in the eyes of law. The reliance can be placed upon the judgment of the Hon'ble Supreme Court of India in **Civil Appeal No.11795 of 2025** titled as ***Shanti Devi (since deceased) through LRs Goran vs. Jagan Devi and others***, decided on 12.09.2025 and the learned counsel for the appellant has not been able to dispute either the fact that the sale consideration has not been paid in pursuance to the sale deed dated 17.02.1994 as well as the settled principle of law noticed hereinbefore.

7. Further, the land is alleged to have been purchased by the predecessor-in-interest from the power of attorney of Hira Nand namely Satish Kumar. The said Satish Kumar never appeared before the authorities to support the said contention. Once, neither the predecessor-in-interest namely Hira Nand nor his alleged power of attorney Satish Kumar appeared before the authorities to support the sale, the order passed by the Revenue Authorities holding that the transfer of the land initially in favour of Hira Nand and the subsequent sale without consideration is illegal and that is why the allotment of land in favour of Hira Nand was rightly set aside. The said fact has not been proved to be perverse by the learned counsel for the appellant while addressing the arguments.

8. Keeping in view the totality of the circumstances, no ground is made out for any interference by this Court in the facts and circumstances of the present case.



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9. Accordingly, the appeal is dismissed.
10. Pending application(s), if any, stands disposed of.

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

**(VIKAS SURI)**  
**JUDGE**

**September 15, 2025**

*Varinder*

Whether speaking/reasoned : Yes

Whether reportable : No