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

**CWP-164-2024 (O&M)
Date of Decision: 11.06.2025**

Rajender Singh

..... Petitioner

Versus

The State of Haryana through its Principal Secretary
and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Rajender Goel, Advocate
for the petitioner.

Mr. Kapil Bansal, DAG, Haryana.

Mr. Pavan Malik, Advocate
for respondents No.7 to 11.

HARSH BUNGER J.

The present petition has been filed under Articles 226/227 of the Constitution of India *inter alia* seeking issuance of a writ in the nature of Certiorari/ Mandamus for quashing the inquiry proceedings dated 07.12.2023 (Annexure P-9/T).

2. Briefly, petitioner- Rajender Singh along with the private respondents were co-sharers in the joint land measuring 227 kanals 2 marlas comprised in two khewats and situated at Village Ujina, Tehsil and District Nuh.

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2.1 The private respondents filed two separate applications seeking partition of joint land wherein, the petitioner appeared and submitted his reply. During the pendency of the partition proceedings, the private respondents chose to withdraw from the partition proceedings and upon learning about the same, the present petitioner along with his brothers filed an application praying for continuation/ conclusion of the partition proceedings wherein *Naksha 'Bey'* and *Naksha 'Zeem'* were approved and ultimately the partition proceedings concluded with the drawing of Sanad Taksim on 11.08.2023.

2.2 It appears that during the pendency of the partition proceedings, the petitioner herein preferred an application seeking correction of khasra girdawari on 01.06.2022.

2.3 In the aforesaid proceedings for correction of khasra girdawari, the private respondents were summoned and even mushtari munadi was got effected and ultimately the concerned Tehsildar, District Nuh after inspecting the spot, allowed the application submitted by the petitioner for correction of khasra girdawari with effect from crop Kharif 2022 onwards vide order dated 08.07.2022 (Annexure P-2/T).

2.4 It appears that the private respondents challenged order dated 08.07.2022 (Annexure P-2/T) by filing an appeal before the learned Collector, Nuh, however, considering the fact that even a civil suit was pending between the parties, the learned Collector passed an order dated 10.05.2023 (Annexure P-3/T) directing that the khasra girdawari proceedings be adjourned sine die.

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2.5 It is apposite to state here that the private respondents had been appearing in the civil suit and on the other hand, they submitted an application on 19.06.2023 seeking re-hearing of the appeal by the learned Collector, which was earlier adjourned sine die. On the said application submitted by the private respondents, the petitioner herein submitted his reply (Annexure P-7/T).

2.6 It further appears that simultaneously the private respondents submitted a complaint before the Chief Minister of Haryana whereon District Revenue Officer (respondent No.5) was appointed as an Inquiry Officer to inquire into the allegations made by a private respondent against the Assistant Collector 2nd Grade, Nuh (respondent No.6).

2.7 The District Revenue Officer (respondent No.5) submitted his Inquiry Report dated 29.08.2023 to the Additional Deputy Commissioner, Nuh, which was further placed before the Public Grievance and Redressal Committee. The extract of the report placed before the Public Grievance and Redressal Committee in the meeting held on 07.12.2023 reads as under:

“Addl. Deputy Commissioner, Nuh vide his office letter memo no. 401 dated 18.09.2023 has sent the report in this office in which it is apprised that after hearing Sh. Parmod Kumar complainant in person and after perusing the report of Sh. Tarun Parkash, Tehsildar, Nuh minutely committee has come to the conclusion that Sh. Tarun Parkash, Tehsildar, Nuh has not produced the case file of case no. 4/Tehsildar filed on 01.08.2022 and decided on 08.07.2022 in the office of Ld. Distt. Revenue Officer, Nuh. By perusing the photocopy of the date of decision is mentioned as 08.07.2022 and therefore, it transpired that the date of decision is mentioned as 25 days earlier from



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the date of filing of the case i.e. 01.08.2022 and this fact is illegal and it has also come on record from the documents provided by the complainant that the Tehsildar Sh. Tarun Parkash, Nuh has passed two decisions on same day i.e. 08.07.2022. Therefore, the allegations levelled by the complainant are not baseless. The preliminary report of the Ld. Distt. Revenue Officer, Nuh bearing memo no. 310/Reader dated 29.08.2023 is based on comprehensive facts and as per report prima facie the allegations are proved against Tehsildar Nuh namely Sh. Tarun Parkash. Sh. Tarun Parkash, Tehsildar, Nuh has not presented main file of the case before Distt. Revenue Officer, Nuh and nor present in person. Sh. Tarun Parkash, Tehsildar, Nuh has passed the decision dated 08.07.2022 in capacity of Hon'ble Revenue Court. If the complainants are dissatisfied with the order dated 08.07.2022 then they could have file appeal either in the Court of Collector (Sub Divn. Nuh or Distt. Collector Nuh/Commissioner, Faridabad Division, Faridabad) for getting the necessary relief and if some anomalies have been caused by Sh. Tarun Parkash, Tehsildar, Nuh then the relief can be sought by filing appeal in the competent Court of law.”

2.8 Feeling aggrieved against the aforesaid proceedings dated 07.12.2023, the petitioner has preferred the present writ petition before this Court.

3. Upon issuance of notice of motion in the present case, a reply has been filed on behalf of respondents No.1 to 6 by the learned Assistant Collector 2nd Grade, Nuh, which gives a very interesting reading as far as the preliminary submissions are concerned, which reads as under:

“That dro Nuh prepared report dated 29-08-2023 and same was



sent to the Ld. ADC Nuh for further action and the matter was also inquired by the Chairman, Public Grievance and Redressal Committee headed by the Hon'ble Minister Sh. Devinder Singh Babli, Minister for Development and Panchayat Haryana, who on the influence of some RSS workers namely Harkesh i.e. one of the private respondent has further sent the matter for further inquiry to the Deputy Commissioner Nuh, whereas, the Ld. ADC has submitted the report that if there are some anomalies then the aggrieved party can approach to the Higher courts in revenue side also by way of filing appeal/revision for necessary relief, but the matter was still ordered to be re-inquired by the Public Grievance and Redressal Committee through its chairman and now the Ld. Deputy Commissioner Nuh is inquiring into the matter and is bent upon to setting aside the partition proceedings despite the fact that Sanad Takseem has already been issued and only the jurisdiction of Hon'ble High Court under Articles 226/227 of the Constitution of India to invoke to question the Sanad Takseem and as such the impugned order passed by Public Grievance and Redressal Committee dated 7-12-2023 and other revenue proceedings are liable to be quashed, as the Civil suit was filed and revenue proceedings were adjourned sine-die and even Sanad Takseem was issued on 11-08-2023.”

4. A bare perusal of the above extracted response filed on behalf of respondents No.1 to 6 would reflect that the present writ petition has been filed by the petitioner with an oblique motive to get the inquiry proceedings initiated against respondent No.6, quashed.

5. In my considered view, the proceedings dated 07.12.2023 (Annexure P-9/T), in no way affects the petitioner herein.



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6. If there are any anomalies in the proceedings conducted by the concerned Officer, who has carried out the quasi judicial proceedings entrusted upon him, the same are required to be checked and inquired into.

7. In view of the above, I find no compelling reason to interfere in the inquiry proceedings and resultantly the instant writ petition fails and the same is accordingly dismissed.

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

11.06.2025

Himani

(HARSH BUNGER)
JUDGE

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