

2025:PHHC:087163



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RSA-3436-1998 (O&M)

Date of Decision :17.07.2025

GURCHARAN SINGH AND OTHERS

... APPELLANTS

Vs.

PANCHAYAT SAMITI, FEROZEPURE
THROUGH ITS CHAIRMAN/CHAIRPERSON

.... RESPONDENT

CORAM: HON'BLE MR JUSTICE DEEPAK GUPTA

Present: - None for the appellants.

Mr.Gulshan Sharma, Advocate, for the respondent.

DEEPAK GUPTA, J. (ORAL)

Nobody is putting in appearance on behalf of the appellants.

2. Counsel for the respondent has been heard.
3. This is an appeal filed by the plaintiffs of the case against concurrent findings of the Courts below. The paper-book as well as the grounds of appeal have been perused.
4. Claiming to be owners in possession of the suit land, plaintiffs had filed the suit for declaration to this effect and also sought to restrain the defendant from interfering in their possession. The defendant-*respondent herein* challenged the locus standi of the plaintiffs to file the suit and claimed it to be the owner thereof.
5. After framing of the issues and taking evidence, trial Court dismissed the suit on 04.09.1997. The appeal filed by the plaintiffs was dismissed by the First Appellate Court on 21.05.1998.
6. While dismissing the appeal, it was noticed by the First Appellate Court that in *CWPs No.17702 to 17705 of 1996 titled Panchayat Samiti, Ferozpur Vs. The State of Punjab*, decided by this Court on 17.02.1998, the land in question was found to be belonging to the Panchayat Samiti i.e. the *respondent herein*. It was further found that suit

land was transferred in the name of respondent-Panchayat Samiti vide a Government Letter dated February, 1962 and mutation was sanctioned accordingly and as such, there could be no dispute that Panchayat Samiti was the owner of the land and so appellants have no right or title in the property in dispute.

7. In view of the aforesaid findings, which are found to be based upon proper appreciation of factual position, there is no scope for this Court for calling for any interference.

Dismissed.

17.07.2025

Vivek

(DEEPAK GUPTA)

JUDGE

Whether speaking/reasoned	: Yes
Whether reportable	: No