

Rattan Singh and Others

Vs

State of Punjab and Others

Civil Appeal No. 1583(N) of 1969

(A.C. Gupta, E.S. Venkataramiah JJ)

23.08.1979

JUDGMENT

This is an appeal from an order of the Punjab and Haryana High Court dismissing in limine the writ petition filed by the appellants before us challenging the scheme of consolidation of holding relating to Village Bhawanipur, Tehsil Garhsankar, District Hoshiarpur, Punjab. The scheme prepared by the Consolidation Officer was confirmed by the Settlement Officer on February 11, 1964. In April, 1966 it was revoked by the Additional Director, Consolidation of Holdings, but the revocation was set aside by the High Court in December, 1967 on a writ petition made by 59 other landholders of the village. All these years, the appellants did not raise any objection to the scheme. It was only in October, 1968 that they moved this Court challenging the scheme but the writ petition which they filed was withdrawn and in December, 1968 they filed a writ petition in the High Court which was dismissed in limine as stated earlier. That the appellants did not question the validity of the scheme framed in 1964 until October, 1968 has already been stated. They did not also implead in their writ petition in the High Court, the other landholders who were likely to be affected in case this scheme was disturbed. For these reasons, we think that the High Court was justified in dismissing the writ petition in limine. The appeal dismissed. There will be no order as to cost.

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