



HARYANA RIGHT TO SERVICE/COMMISSION
S.C.O. No. 38 & 39 (2nd FLOOR), SECTOR 17-A, CHANDIGARH-160017
Website- <https://haryana-rtsc.gov.in/> Telephone: 0172-2711050

File No. HRTSC/Comp-98/Revenue/2024/ 756
To

Dated: 24 Feb 2024

Sh. Jagdish Kumar,
Contact No. 9896226967.
E-mail: jk6214099@gmail.com

Subject: Demarcation of land if no standing crop - Complaint of Sh. Jagdish Kumar.

Sir,

I am directed to forward herewith a copy of the Final order dated **24th February, 2025** passed by Sh. T.C. Gupta, Chief Commissioner, Haryana Right to Service Commission, Chandigarh in respect of above case for information and compliance

(Vatsal Vashisht)
Secretary

Haryana Right to Service Commission
E-mail: rtsc-hry@gov.in



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Final Orders

Hearing date: 22.01.2025

Time: 12:45 pm

1. The hearing was done which was attended by Sh. Jagdish Kumar. He reiterated the contents of his email dated 02.12.2024 with states mainly as follows:

a. The Punjab Land Revenue Act, 1887 has no provision stating that demarcation cannot be done unless takseem of a joint raqba is done.

b. In Haryana, takseem of only 5% of land has been done but demarcation is being done for the remaining land as well.

c. The FCR, Haryana has not issued any instruction stating that demarcation cannot be done without takseem.

d. The provided information about other plots where the demarcation has been completed, and has questioned how demarcation of those plots has been done.

During the hearing, he requested again that the demarcation of Khasra No. 382 be done.

2. The Commission has carefully considered all the facts and circumstances of this case. First of all, no appeal lies against the orders of the Commission with the Commission itself under the provisions of the Haryana Right to Service Act, 2014 (hereinafter referred to as the 'Act') and therefore, this application is legally not sustainable. However, without going into the technicality, this case was considered as a case of review under Section 17(1)(i) and therefore, this case was heard. The purpose of availing any notified service has to be seen with the broader objective of the enactment of the Act. This Act has been enacted to provide the notified services in notified time lines but to the eligible persons. The definition of an eligible person has been given in Section 2(d) of the Act. The complainant in this case has not been able to disclose what is his interest in this demarcation and how he is an eligible person. As per the report of Deputy Commissioner, Kurukshetra, his wife has a plot in this Khasra No. measuring 0 Kanal 06 Marla which has been denied by the complainant in his email dated 02.12.2024. He has stated that he has been pursuing the case in public interest. During the scrutiny of the documents, it has been ascertained that he has been

asking for the demarcation of plots of many persons and even requesting the status of the existence of plots which is evident from his contentions submitted to the DC in the application dated 04.03.2024 which is as under:-

“1. खसरा न० 382 प्रलेख न० 742 दिनांक 16.05.1988 जिसके मालिक करतार सिंह ने रमेश आदि को बेची जो यह प्लाट उत्तर दक्षिण 84 फुट पूर्व पश्चिम 60 फुट है जिसमें पूर्व में कोपेरेटिव सोसाईटी की दीवार की तरफ गली छोड़ी गई की निशानदेही की जाए।

2. इसके पश्चात उपरोक्त प्लाट के साथ करतार मालिक ने एक प्लाट 9 मरले (300 वर्ग गज) बेचने का इकरारनामा खसरा न० 382 में दिनांक 25.08.1988 को रघबीर सिंह पुत्र काशीराम निवासी गांव टाटकी के साथ किया था करतार सिंह द्वारा रजिस्ट्री न करवाने पर रघबीर सिंह ने दिनांक 07.03.1989 को करतार सिंह के विरुद्ध कुरूक्षेत्र अदालत में सिविल सुट न० 149/1989 डाल दिया था। करतार सिंह की मृत्यु 04.05.1989 को हो गई थी इसके बाद इस केस में LR उसकी पत्नी परमजीत कौर व अमनदीप बने जिसका फैसला अदालत MC Mehra Additional Civil Judge Sr Division ने दिनांक 04.05.1999 को रघबीर सिंह के हक में डिग्री कर दी थी उसके बाद परमजीत कौर आदि ने सिविल सुट 149/1989 के विरुद्ध अपील न० 86 आफ 1999 अदालत BL Single Additional Session Judge में कर दी जिसका फैसला अदालत BL Single Additional Session Judge कुरूक्षेत्र ने दिनांक 21.05.1999 को कर दिया फैसला के अनुसार रघबीर सिंह को व्याना की राशि ब्याज सहित देने के आदेश दिये इसके बाद रघबीर सिंह ने अपील न० 86/1999 के विरुद्ध पंजाब एवं हरियाणा हाई कोर्ट चण्डीगढ़ में RSA 3636/1999 डाले इस पर माननीय अदालत ने 1999 में स्टे लगा दिया जो अब तक लगा हुआ है। इस बात को रमेश व कश्मीर सिंह ने 133 CRPC कार्यवाही के दौरान City Magistrate Kurukshetra को दिनांक 21.10.2010 को इस पर हाईकोर्ट का स्टे लगा हुआ है जिस पर Executive Magistrate ने कार्यवाही 133 पर Adjourn Sinedie कर दिया

अतः बतलाया जाए कि मौका पर 9 मरले (300 वर्ग गज) प्लाट है कि नहीं

3. परमजीत कौर ने खसरा न० 382 में प्लाट 60x60 (13 मरले) की रजिस्ट्री प्रलेख न० 490 दिनांक 25.05.1989 के अनुसार रमेश पुत्र लालजी मल के नाम कर दी। बतलाया जाए कि प्लाट मौके पर है या नहीं।

4. परमजीत कौर आदि ने मिलकर खसरा न० 382 में अमरीक सिंह व कश्मीर सिंह वासीयान दौलतपुर को एक प्लाट एक कनाल, उत्तर दक्षिण 90 फुट पूर्व पश्चिम 60 फुट व Indian Arbitration act की धारा 17 के तहत अदालत कमलकान्त HCS Sub Parginneronzon Judge Kurukshetra की अदालत से डिग्री न० 909/1992 कराई बतलाया जाए कि यह प्लाट मौके पर है या नहीं।

5. अमरीक सिंह, कश्मीर सिंह ने डिग्री न० 909/92 की बिनाह पर खसरा न० 382 में एक प्लाट 55 वर्ग गज जिसकी लम्बाई उत्तर दक्षिण 8 फुट पूर्व पश्चिम 60 फुट प्रलेख न० 1990 दिनांक 11.09.1995 के अनुसार कमलेश पत्नी रमेश चन्द को बेची। कृपया बतलाया जाए कि यह प्लाट मौके पर है या नहीं।

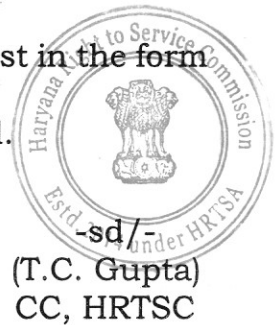
6. जय भगवान पुत्र राम चन्द्र गोयल निवासी इस्माईलाबाद ने एक प्लाट 100 वर्ग गज जो उत्तर दक्षिण 15 फुट पुर्व पश्चिम 60 फुट खसरा न० 82 में है प्रलेख न० 7050 दिनांक 27.10.2005 के अनुसार रेनू उर्फ चरणा पत्नी श्री कृष्ण कुमार गोयल निवासी मकान न० 211 सैक्टर 19 पंचकुला को बेचा। कृपया बतलाया जाए कि प्लाट मौके पर है या नहीं।

उपरोक्त प्लाटो का प्रयोग गली की कार्यवाही 133 CRPC में किया गया है कृपया बतलाया जाए कि उपरोक्त प्लाट खसरा न० 382 में है या नहीं

कृप्या SIT नियुक्त करके निशानदेही करवाई जावे।”

3. He has clearly written that he is doing this work in public interest and he has written that 'हम जनहित के कार्य के लिए लड़ाई लड़ रहे हैं | इसी कारण से हमने निशानदेही की दरखास्त दी थी'. He must realise that this Commission is not meant for Public Interest Litigation. This Act is there to provide notified services to the eligible persons. He has not been able to show how he is an eligible person in this case only an owner of land can ask for demarcation of his land as he is an eligible person under the Act and not otherwise. As far as the demarcation of land without partition (*Taqseem*) is concerned, it is common law that if a person is asking for the demarcation of a particular land, it has to be specifically described in the revenue record using a proper description and if a particular portion of a Khasra No. has been purchased, it has to be properly demarcated by *taqseem* for which *tatima* is made and proper dimensions along with measurements are described in the revenue records. It is true that he was asking for the demarcation of complete Khasra, which is possible but it is not his right to pursue a case in public interest to get the demarcation of plot of other persons demarcated under the Act. His contention that in some cases demarcation has been done without any *taqseem* does not justify his demand for the demarcation of plots belonging to other persons. The Commission cannot be used as a forum for settling scores or for Public Interest Litigation as it is strictly meant to deliver notified services to eligible persons. Holding that he is not an eligible person, his request in the form of this appeal (which has been treated as review) is hereby rejected.

24th February, 2025


-sd/-
(T.C. Gupta)
CC, HRTSC