

10.5.2019

Present: Mr. R.K. Bawa, Senior Advocate with Mr. Ajay Sharma, Advocate, for the petitioner.
Mr. Y.P. Sood, Advocate, for respondent No.1.

As per the petitioner, learned first appellate Court below as well as this Court while deciding first appeal and regular second appeal, have taken into consideration wrong measurements by placing reliance upon the jamabandi Ext.PW1/A.

Mr. Y.P. Sood, learned counsel for the respondent No.1 states that respondent has already filed application for correction of revenue record before the Settlement Collector, Shimla, but proceedings are not heading forward on account of injunction granted by the Civil Court in the suit having been filed by the petitioner herein.

Since as per own case of the petitioner, there appears to be an error committed by the revenue authorities while preparing jamabandi, this Court is of the view that it would be in the interest of both the parties if proceedings initiated at the behest of the respondent for correction of revenue record are decided by the Settlement Collector, expeditiously and as such, Settlement Officer, Shimla, is directed to conclude the proceedings referred herein above, expeditiously, preferably within a period of two months from today. Needless to say, the Settlement Collector while deciding the application as referred herein above shall afford an opportunity of being heard to all the parties including the

petitioner, who is otherwise party before the Settlement Collector. Injunction, if any, granted by the Civil Court shall not come in the way of Settlement Collector while complying with the order at hand. Necessary compliance by the Settlement Collector be filed before the next date of hearing.

List on **9.8.2019**.

Copy **dasti**.

10th May, 2019
manjit

(Sandeep Sharma),
Judge

