

To

All the Deputy Commissioner's
In the Province of Punjab.

Subject:

PERMISSION OF CHIEF SETTLEMENT COMMISSIONER, PUNJAB
BEFORE IMPLEMENTATION OF THE CIVIL COURTS
DECREES/ORDERS.

Kindly refer to the subject cited above.

It has been noticed with great concern that many settlement cases, relating to evacuee properties, are being decided by the civil courts, without prior verification of PTD, PTO, TO, where the jurisdiction of civil court is barred by law and many fake, bogus, and fraudulent orders are also prepared by land mafia, with connivance of unscrupulous elements of society, therefore, formal prior permission from the department is necessary/required before implementation the decrees/orders of the Civil Courts into Revenue Record so as to save the precious state/Ex-evacuee land.

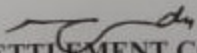
Moreover, the Supreme Court of Pakistan, vide judgment, reported as 2015 SCMR 1721, it was held that civil courts or revenue courts have no jurisdiction to entertain or adjudicate upon the matters, relating to the evacuee properties. The head note of the judgment reads as under:-

**EVACUEE PROPERTY AND DISPLACED PERSONS LAWS
(REPEAL) ACT, (XIV OF 1975).**

"S.2(2)—Pakistan (Administration of Evacuee Property) Act, (XII of 1957) (since repealed), S.41—Dispute concerning evacuee nature or otherwise of property—Forum—Civil or revenue authorities barred from exercising jurisdiction to entertain or adjudicate upon any such dispute—Where a property was rightly or wrongly treated to be an evacuee Property, Such treatment of property could only be assailed through proceedings before the Custodian of Evacuee Property or his successor i.e. the Notified Officer".

Keeping in view the above mentioned requirements of law it is hereby directed that the Civil Courts decrees/orders can only be implement after verification of PTD, PTO, TO, and concurrence of the Chief Settlement Commissioner, Punjab.

In case non-compliance of these instructions, strict legal as well as disciplinary action may be initiated against the responsible officials/officers, alongwith criminal proceedings.


CHIEF SETTLEMENT COMMISSIONER
BOARD OF REVENUE, PUNJAB
FARID KOT HOUSE, LAHORE

CC:-

1. All Divisional Commissioner in the Punjab with the request to kindly ensure compliance.
2. All the Notified Officers / Members Board of Revenue, Punjab, for information.
3. The Director General, Punjab Land Record Authority, with the request to ensure compliance.
4. All Assistant Commissioners in the Punjab with the direction to convey these instructions to all Revenue Officers / Gardawars / Patwaries and also insure incorporation of the instructions in Roznamcha Waqati of each and every Patwar Circle and send compliance report.