

CWP No. 11858-2010

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No. 11858-2010

Date of Decision:29.01.2015

Joginder Kaur and others

... Petitioner(s)

Versus

Financial Commissioner, Revenue, Punjab and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

- 1) Whether Reporters of the local papers may be allowed to see the judgment ?.
- 2) To be referred to the Reporters or not ?.
- 3) Whether the judgment should be reported in the Digest ?

Present: Mr. M.L.Saini, Advocate,
for the petitioners.

Dr. Deepa Singh, Addl. A. G. Punjab.

Mr. Nirban Devender Singh, Advocate,
for respondents no.2 and 3.

Paramjeet Singh, J. (Oral)

Instant writ petition has been filed under Articles 226/227 of the Constitution of India for quashing the order dated 16.03.2010 (Annexure P-13) passed by respondent no.1-Financial Commissioner, the order dated 31.08.2009 (Annexure P-7) passed by the Additional Commissioner, Jalandhar Division, Jalandhar, the order dated 31.10.2005 (Annexure P-4) passed by the Collector and the order dated 29.04.2005 (Annexure P-3) passed by the Assistant collector Ist Grade.

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I have heard learned counsel for the parties and perused the record.

Learned counsel for the petitioners submits that since the petitioners had filed a suit challenging the same very orders as impugned in the present writ petition, he wants to withdraw the instant petition with liberty to pursue remedy in accordance with law. However, learned counsel prays that since the possession has not been transferred till date, an interim relief may be granted for one month so that the petitioners may move appropriate application before the civil court with regard to interim injunction.

In view of above, instant petition is dismissed as withdrawn.

Dispossession of the petitioners in pursuance of the partition order till 03.03.2015 is stayed.

Meanwhile, the petitioners will be at liberty to move appropriate application for interim injunction before the civil court. Undoubtedly, the Civil Court will proceed with the matter without being influenced by any observations made by this Court as well as revenue authorities.

29.01.2015

parveen kumar

(Paramjeet Singh)
Judge