

In the High Court of Punjab and Haryana at Chandigarh

C.W.P. No. 22343 of 2015

Date of Decision: October 16, 2015

Sukhpal and another

... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

Present: Mr. O.P. Sharma, Advocate,
for the petitioners.

Paramjeet Singh, J.(Oral)

Instant writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to expeditiously decide the review petitions (Annexures P/3 to P/5) with regard to mutations No. 14518, 17172 and 13661, pending before respondents no. 2 and 3.

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

The alleged review petitions (Annexures P/3 to P/5) are in fact are representations to review the mutations. The mutations were sanctioned, although, complete order has not been placed on record, only

that “Mutation for sale is sanctioned”. There is no complete order of Assistant Collector 2nd Grade. Otherwise also, if any mutation was sanctioned by the Assistant Collector 2nd Grade, then petitioners have right to file appeal, revision, etc. These remedies are available under the provisions of the Punjab Land Revenue Act.

In such circumstances, no direction can be issued. Even if the application is filed before the concerned authority i.e. Assistant Collector 2nd Grade, who has sanctioned the mutation, then permission of the higher authority is required. Section 15 of the Punjab Land Revenue Act empowers the review by the revenue officers. If mutation has been sanctioned at the back of the petitioners, then they have right to file an appeal under Section 13 of the Punjab Land Revenue Act. Otherwise also, present petition has been filed after four years of sanctioning of mutations. It appears that just to avoid the limitation, instant writ petition has been filed.

In view of above, no direction can be issued.

Dismissed in limine. However, the petitioners should approach the authorities in accordance with law.

October 16, 2015
vkd

[Paramjeet Singh]
Judge