

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

LPA No. 623 of 2015 (O&M)

DATE OF DECISION : 18.08.02015

Joginder Singh

.... APPELLANT

Versus

Financial Commissioner, Punjab and others

.... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL
HON'BLE MR. JUSTICE MAHAVIR S. CHAUHAN

Present : Mr. G.S. Nagra, Advocate,
for the appellant.

* * *

SATISH KUMAR MITTAL, J. (Oral)

This intra-court appeal under Clause X of the Letters Patent has been filed against the order dated 22.01.2015 passed by the learned Single Judge, whereby the writ petition (CWP No. 2721 of 2013) filed by Surjit Kaur and her two sons (respondents No.5 to 7 herein) has been allowed and after setting aside the order dated 23.07.2009 (Annexure P-3) passed by the Additional Commissioner (Appeals), Jalandhar Division, Jalandhar; as well as the order dated 30.08.2012 (Annexure P-4) passed by the Financial Commissioner, Punjab, the matter has been remanded to the Assistant Collector Ist Grade, with a direction to decide the matter afresh within a period of six months from the date of receipt of certified copy of the order.

After arguing for some time, learned counsel for the appellant

states that keeping in view the fact that the ex-parte proceedings were wrongly carried out and further keeping in view the fact that the learned Single Judge has directed the Assistant Collector Ist Grade to decide the matter afresh after remand within a period of six months from the date of receipt of certified copy of the order, the appellant may be permitted to withdraw this appeal. He prays that a direction be issued to the Assistant Collector Ist Grade to decide the matter expeditiously, as the same is still pending. Accordingly, the appellant is permitted to withdraw this appeal.

Dismissed as withdrawn. However, the Assistant Collector Ist Grade is directed to complete the partition proceedings expeditiously in terms of the order passed by the learned Single Judge.

(SATISH KUMAR MITTAL)
JUDGE

August 18, 2015
ndj

(MAHAVIR S. CHAUHAN)
JUDGE