

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

LPA No. 638 of 2015

DATE OF DECISION : 04.08.2015

Karnail Singh and another

.... APPELLANTS

Versus

State of Punjab and others

.... RESPONDENTS

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

HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present : Mr. Maninder Arora, Advocate,
for the appellants.

* * *

SATISH KUMAR MITTAL, J. (Oral)

This intra-court appeal under Clause X of the Letters Patent has been filed against the order dated 09.02.2015 passed by the learned Single Judge, whereby the writ petition (CWP No. 24681 of 2014) filed by the appellants challenging the order dated 19.02.2014 (Annexure P-3) passed by the Commissioner, Jalandhar Division, Jalandhar, has been dismissed.

We have heard learned counsel for the appellants and have gone through the impugned order passed by the learned Single Judge as well as the aforesaid order passed by the Commissioner.

The Commissioner, vide the aforesaid order dated 19.02.2014 (Annexure P-3), has just remanded the matter to the Assistant Collector Ist Grade, Kapurthala, to decide the issue with regard to partition of

constructed portion on the land in question.

After hearing learned counsel for the appellants, when this court was not inclined to interfere with the impugned order passed by the learned Single Judge upholding the order of the Commissioner, learned counsel prayed that the appellants may be permitted to withdraw this appeal with liberty to raise all the points, which have been raised in the writ petition, before the Assistant Collector Ist Grade, where the partition proceedings are pending after remand.

Dismissed as withdrawn with the aforesaid liberty.

(SATISH KUMAR MITTAL)
JUDGE

August 04, 2015
ndj

(HARINDER SINGH SIDHU)
JUDGE