

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

**Civil Writ Petition No. 18693 of 2016
Date of Decision: 8.9.2016**

Sushil Sharma

.....Petitioner

Vs.

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Sarbjit Singh, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK J. (ORAL)

Instant writ petition is directed against order dated 18.8.2015 passed by the Financial Commissioner (Revenue), Punjab, whereby revision petition filed by the petitioner was dismissed and the order dated 12.10.2011 (Annexure P-1) passed by Assistant Collector Grade-I, Barnala, regarding mutation No. 9497 of village Jhaloor, District Barnala, was upheld.

Learned counsel for the petitioner, at the very outset, fairly states that he does not intend to press this petition on merits. However, he prays for a clarification to the effect that after the validity of the will is decided by the learned civil court, which is already seized of the matter, the said decision of learned civil court shall prevail upon the parties, governing the mutation in question.

In view of the abovesaid fair statement made by learned counsel for the petitioner, the impugned orders are upheld. However, it deserves to be clarified that validity of the will, once it is decided by the learned court of competent jurisdiction, shall be binding on both the parties and mutation No. 9497 shall be governed by the said decision, in accordance with law.

With the abovesaid observations made and directions issued, instant writ petition stands disposed of, however, with no order as to costs.

(RAMESHWAR SINGH MALIK)
JUDGE

8.9.2016

Ak Sharma

Whether speaking/reasoned Yes/No
Whether reportable: Yes/No