

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-19116-2016

Date of decision: 15.09.2016

Madan Mohan and others

..... Petitioners

Versus

State of Haryana and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE RAMENDRA JAIN**

PRESENT: Mr. Ashwani Talwar, Advocate for the petitioners.

AJAY KUMAR MITTAL, J. (ORAL)

1. The petitioners have approached this Court under Article 226 of the Constitution of India *inter alia* seeking a direction to the respondents to delete the names of other co-sharers and convert the allotment letter issued by respondent No. 4 vide memo No. 6671 dated 15.05.2007 (Annexure P-9) only in the names of the petitioner, in terms of orders of this Court dated 26.04.2012 (Annexure P-3) passed in CWP-10941-2010 and orders dated 24.11.2015 (Annexure P-14) passed by the Hon'ble Apex Court in SLP Nos. 13375-13383 of 2013, wherein it has been held that each co-sharer is entitled for a plot under the oustees quota on the basis of his individual land holding.

2. It was not disputed that certain questions of fact are

involved in this case which are required to be established by leading cogent and convincing evidence. Accordingly, learned counsel for the petitioners submitted that he may be allowed to withdraw the instant petition, with liberty to the petitioners to file a civil suit for the relief claimed in the present writ petition.

3. Dismissed as withdrawn. It shall, however, be open to the petitioners to take recourse to the remedies, as may be available to them, in accordance with law.

**(AJAY KUMAR MITTAL)
JUDGE**

September 15, 2016
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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No