

CWP No.2950 of 2016

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

CWP No.2950 of 2016
Date of decision: 08.04.2016

Dilbagh Singh and another

....Petitioners

Versus

Financial Commissioner (Appeals), Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH DHALIWAL

- 1) Whether Reporters of the local papers may be allowed to see the judgment ?
- 2) To be referred to the Reporters or not ?
- 3) Whether the judgment should be reported in the Digest ?

Present: - Mr. Bikramjit Aroua, Advocate, for the petitioners.

PARAMJEET SINGH DHALIWAL, J. (ORAL)

Instant writ petition under Articles 226/227 of the Constitution of India has been filed for quashing the order dated 21.12.2015 (Annexure P-12) passed by Financial Commissioner, Punjab, order dated 18.10.2010 (Annexure P-8) passed by Additional Commissioner (Appeals), Jalandhar Division, Jalandhar, order dated 14.09.2009 (Annexure P-6) passed by Additional Deputy Commissioner-cum-Collector, Tarn Taran and order dated 18.10.2007 (Annexure P-4) passed by Assistant Collector Ist Grade, Khadoor Sahib, District Tarn Taran. It is further prayed that revenue authorities be directed to decide afresh the mutation Nos.2422 and 2423 in respect of deed of transfer of ownership dated 02.05.2007 in favour of the petitioner after clubbing with mutation No.2452 sanctioned in respect of sale deed dated 04.05.2007 registered

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on 07.05.2004 in favour of respondent No.5.

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

The dispute is with regard to sanction of mutation Nos.2422 and 2423 based on transfer deed dated 02.05.2007. It is settled principle of law that mutation does not confer any title. It is only meant for the purpose of updating the revenue record. Since the dispute is with regard to validity of the transfer deed and sale deed, parties can get the same settled through civil Court. Rights of the parties cannot be determined through writ petition.

Learned counsel for the petitioners candidly admits that parties are already before the civil Court where ultimately their rights will be determined.

Dismissed with liberty to the petitioners to agitate their rights in the civil Court or any other proceedings.

(Paramjeet Singh Dhaliwal)
Judge

April 08, 2016
R.S.