

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

CWP No.3747 of 1999
Date of decision : 23.01.2017

Gurdial Singh and another

...Petitioners

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL.

Present: None for the petitioner.

Mr. Yatinder Sharma, Addl. A.G. Punjab.

Mr. R.D. Bawa, Advocate for respondent Nos.3 and 4.

AMIT RAWAL, J. (Oral)

Mr. Bawa, learned counsel appearing on behalf of respondent Nos.3 and 4 submits that in the present writ petition, order of Commissioner, whereby matter had been remanded back to the Assistant Collector, has been challenged. Thereafter subsequent events have taken place. Assistant Collector, Grade-I has ordered for mutation maintained upto Financial Commissioner and thereafter preferred CWP No.20493 of 2010 but the same was withdrawn vide order dated 16.04.2012 with a liberty to pursue the remedy before the Civil Court in the pending suit.

In view of the aforementioned fact, no cause of action survives in the present writ petition as petitioner has already availed the remedy of civil suit qua mutation. Owing to the consequential remand, subsequent

order came to be passed.

Accordingly, present writ petition stands rendered as disposed of as infructuous.

23.01.2017

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**(AMIT RAWAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No