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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-10697-2017

Date of decision : 18.05.2017

Avtar Singh

... Petitioner(s)

Versus

State of Punjab and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Vishal Mittal, Advocate
for the petitioner.

AMIT RAWAL, J. (ORAL)

The grievance of the petitioner in the present writ petition is that in the execution of judgment and decree passed in the year 1983, third party objections have been dismissed. Even the remedy of appeal availed has not yielded any result, therefore, cause of action accrued in favour of the petitioner to file the writ petition for seeking a direction to the respondent(s) to determine the surplus area, though, the petitioner's father vide Annexure P-1, way back in the year 1973, was conferred the proprietary right, being tenant.

Concededly, the petitioner has an remedy to file Execution Second Appeal before this Court and seek the interim relief, but not in the manner and mode.

Faced with the aforementioned situation, learned counsel appearing on behalf of the petitioner seeks liberty of this Court to withdraw

the present writ petition with liberty to avail the alternative remedy by filing Execution Second Appeal (ESA).

Ordered accordingly.

18.05.2017
Yogesh Sharma

(AMIT RAWAL)
JUDGE

	✓
Whether speaking/reasoned	Yes/ No
	✓
Whether Reportable	Yes/ No