

Sr.No.126

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

CWP No. 13549 of 2017

Date of decision:03.07.2017

Amrinder Singh

.....Petitioner

versus

State of Punjab and others

.....Respondents

Coram: Hon'ble Mr.Justice Rakesh Kumar Jain

Present: Mr. Puneet Kumar Bansal, Advocate
for the petitioner.

Rakesh Kumar Jain, J.(Oral)

This petition is filed for setting aside the orders dated 12.06.2012(Annexure P-5) passed by A.C.Ist Grade, Sri Muktsar Sahib, 29.01.2013(Annexure P-6) passed by the Collector, 19.09.2013(Annexure P-7) passed by Financial Commissioner(Appeals-I) Punjab Chandigarh vide which Mutation No. 1349 sanctioned by A.C.2nd Grade has been set aside.

In short, the petitioner has allegedly entered into an agreement of exchange on 6.11.1995 and on that basis, he applied for sanctioning of mutation of his right in the property which he took by way of exchange. The A.C.2nd Grade sanctioned the mutation vide order dated 21.11.1995 but the said order was challenged by respondent No. 2, successfully upto the Court of Financial Commissioner. Not only that the petitioner has approached this Court almost after two years but also the findings recorded by the courts below against him can not be faltered because the petitioner was minor at the time of said exchange. It is well settled that minor can not enter, on his own, into an agreement/contract as he is legally disabled.

Counsel for the petitioner has fairly conceded that at the time of

exchange, the petitioner was a minor and was not represented through a natural guardian or next friend. In view thereof, there is hardly any reason for this Court to interfere in the concurrent findings recorded by the courts below. Dismissed.

3rd July, 2017

Shivani Kaushik

[Rakesh Kumar Jain]
Judge

Whether speaking/reasoned

Yes

Whether Reportable

Yes/No