

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.19235 of 2015
DATE OF DECISION: March 1,2017

Nardev Singh

...Petitioner

versus

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr.S.S.Rangi, Advocate for the petitioner.
Ms.Monica Chhibber Sharma, Deputy Advocate
General, Punjab.
Mr.HPS Ghuman, Advocate for respondent Nos.4
to 10.

AMIT RAWAL, J.

The petitioner is aggrieved of the impugned orders, whereby the mutation has been sanctioned in favour of respondent Nos.4 to 10.

Mr.S.S.Rangi, learned counsel appearing for the petitioner has brought to the notice of this Court that the order dated 18.11.2015 passed in the bunch of RSAs, (i.e. RSA No.1084 of 1994 and others) the judgments and decree of the Courts below are set aside. In view of the aforesaid order dated 18.11.2015, the petitioner has been held to be owner in possession of the suit property.

In view of the aforementioned factual position, the impugned orders dated 22.1.2014, 28.1.2003 and

13.11.1995 are set aside. The mutation is ordered to be effected in terms of decision rendered in the bunch of the aforesaid RSAs, bearing RSA No.1084 of 1994 and others.

At this stage, Mr.S.S.Rangi, learned counsel appearing for the petitioner has brought to the notice of this Court that the order of the aforesaid RSAs is subject matter of challenge in the SLP before the Supreme Court. However, no interim protection is there.

It is well settled law that the mutation cannot be kept in abeyance in view of the ratio decidendi culled out by Hon'ble Division Bench of this Court in Jagjit Singh v. Divisional Commissioner, Patiala and others 2012 (13) RCR(Civil) 96.

The official respondents are directed to effect the mutation in terms of decision rendered in the bunch of the aforesaid RSAs, bearing RSA No.1084 of 1994 and others, of course, that would be subject to the final outcome of SLP.

The present writ petition is disposed of in the aforesaid terms.

March 01,2017
KD

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No