

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CWP No.19165 of 2017

Date of Decision: 18th September, 2017

Hukam Singh and others

. . . . Petitioners

Vs.

State of Haryana and others

. . . . Respondents

CORAM: - HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present: Mr.Rajiv Sharma, Advocate,
for the petitioners.

RAKESH KUMAR JAIN, J. (ORAL)

This petition is filed for issuance of a writ in the nature of mandamus seeking direction to respondents No.2 & 3 to decide legal notice of the petitioner regarding mutation No.4956 which is pending from the last many years.

The facts given to me in Court are that in the mutation No.4956 column No.4 bears the name of the father of the petitioner Shiv Singh to the extent of 1/6th share in the land in question. However, in column No.9 of the said mutation, the name of their father is not mentioned. It is submitted that he has been adjudged as owner in the civil suit decided on 6.10.1983. The said mutation was sanctioned by the AC 2nd Grade on the basis of the order of the Court in the year 1983. The petitioner has been making representation for entering the name of their father Shiv Singh in the said mutation in column No.9.

I have heard learned counsel for the petitioner and after examining the record, am of the considered opinion that rightly or wrongly the mutation has been sanctioned by the AC 2nd Grade. As per Section 13 of the Punjab

Land Revenue Act, 1887 [for short ‘the Act’], the order of the Assistant Collector is amenable to appeal in terms of Section 13(1) of the Act. Therefore, the remedy lies with the petitioner of filing appeal instead of making representation. Hence, the present petition is hereby disposed of relegating the petitioner to avail his remedy, if so advised, in accordance with law.

18th SEPTEMBER, 2017
Vivek

(RAKESH KUMAR JAIN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>