

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

**CWP No.23436 of 2016
Date of decision:19.04.2017**

Prabhjit Singh and others

... Petitioners

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Karanjit Singh, Advocate
for the petitioners.

AMIT RAWAL J. (Oral)

The petitioners are aggrieved of the impugned orders, whereby, mutation bearing No.3979 of village Fatehpur, Tehsil and District Amritsar relating to inheritance of deceased Jaswant Singh son of Chanan Singh who unfortunately died on 07.04.2003, had been entered in favour of Sharanjit Kaur wd/o Jaswant Singh.

Mr. Karanjit Singh, learned counsel for the petitioners submits that Chanan Singh had executed unregistered Will dated 08.09.2000 in favour of the petitioners which was later on registered, therefore, mutation could not have been ordered in favour of the private respondents. He further submits that in this regard, a civil suit is already pending.

I have heard learned counsel for the petitioners and appraised the paper book.

It is settled law that mutation cannot be kept in abeyance. It has to be recorded. The parties are at liberty to lead evidence and on

preponderance of the evidence, the Civil Court shall decide the matter uninfluenced with the finding of the Civil Court with regard to mutation entered into on the basis of the natural succession as it is the domain of the Civil Court.

Writ petition stands disposed of.

(AMIT RAWAL)
JUDGE

April 19, 2017
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No