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

CWP-26419-2015

Date of decision : 22.05.2017

Kuldeep Singh

... Petitioner(s)

Versus

Deputy Commissioner-cum-District Collector and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Sherry K. Singla, Advocate
for the petitioner.

Mr. Yatinder Sharma, Addl. A.G., Punjab.

Mr. Vikram Anand, Advocate
for respondent Nos.4 and 5.

AMIT RAWAL, J. (ORAL)

The grievance of the petitioner in the present writ petition is for issuance of an appropriate direction to the respondent(s) to enter and sanction the mutation in favour of the petitioner.

Mr. Sherry K. Singla, learned counsel appearing on behalf of the petitioner has brought the attention of this Court to averments made in paragraph Nos.6 and 7 of the written statement filed on behalf of respondent Nos.1 to 3, to contend that the order of the mutation has been passed and shown during the course of hearing, which reads as under:-

"6. That on the receipt of the mutation sheet submitted by the Halqa Patwari wherein the name of the petitioner is entered as the owner for the land measuring 24 Bighas 12 Biswas, the answering respondent after going through the settlement dated

22.07.2015 (Annexure P-3) arrived at between the parties in Mediation Case No.722 of 2015, has sanctioned the mutation No.1702 of the above mentioned land in favour of the petitioner vide its order dated 23.05.2016. The mutation will be shown before this Court during the course of hearing.

7. That the mutation has been sanctioned in favour of the petitioner on the basis of the settlement dated 22.07.2015 (Annexure P-3) in Mediation Case No.722 of 2015, the grievance raised by the petitioner in the instant writ petition that he had submitted the representations dated 24.08.2015, 16.10.2015 and 30.10.2015 for entering the mutation on the basis of settlement dated 22.07.2015 (Annexure P-3) are not being looked into by the answering respondents, stands redressed. As such, the instant writ petition has become infructuous."

Mr. Vikram Anand, learned counsel appearing on behalf of respondent Nos.4 and 5 submits that a family settlement dated 22.07.2015 (Annexure P-3) has already been arrived at between the parties, therefore, no cause of action survives in the present writ petition.

Keeping in view the aforementioned facts, I am of the view that once the mutation bearing No.1702 has been sanctioned in favour of the petitioner, the grievance of the petitioner in the present writ petition stands vindicated and the petition has been rendered infructuous.

Disposed of, accordingly.

22.05.2017

Yogesh Sharma

**(AMIT RAWAL)
JUDGE**

✓

Whether speaking/reasoned **Yes/ No**

✓

Whether Reportable **Yes/ No**