

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

**CR No.8300 of 2016
Date of Decision:16.03.2018**

Baljinder Kumar Mantro

...Petitioner

Versus

Rubal Mantro and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Maninder Arora, Advocate for the petitioner.
Mr.Arshdeep Bhullar, Advocate for respondents No.1 and 2.

ANIL KSHETARPAL, J. (ORAL)

This revision petition has been filed against seeking directions for restraining the Estate Officer from transferring the ownership of House No.3404, Sector-27-D, Chandigarh.

During the pendency of the restoration application in a suit which was dismissed in default on 8.8.2016, learned counsel for the respondents has pointed out that there is a registered Will in favour of respondent No.1 and therefore the Estate Officer cannot be restrained from making entry in its record changing the ownership.

On the other hand, learned counsel for the petitioner has vehemently argued that once the property is transferred, respondent No.1 is likely to alienate the property.

This Court has considered the arguments of the learned counsel for the parties.

Learned counsel for the respondents has submitted that his clients do not intend to transfer this property during the pendency of the suit.

In this view of the matter, the Estate Officer cannot be restrained from making an entry updating the record. The entry is only a mutation for updating the record. Thus, there is no ground to issue direction which has been sought.

However, learned counsel for the respondents has very fairly stated that he has no objection if the suit is restored and decide on merits.

In view of the statement made by the learned counsel for the respondents, the learned trial court would restore the suit and decide the same within a period of one year.

The present revision petition shall stand disposed of, accordingly.

16.03.2018
mks

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No