

**IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH
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CWP-31203-2018

Date of decision: 10.12.2018

HEMANT KUMAR VASISTHA AND OTHERS

...PETITIONERS

VS.

STATE OF HARAYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Vikas Bahl, Sr. Advocate,
with Mr. Aditya Jain, Advocate,
and Mr. Parvinder Singh, Advocate,
and Ms. Aarzoo B. Garewal, Advocate,
for the petitioners.

AUGUSTINE GEORGE MASIH, J. (ORAL)

It is the contention of the learned senior counsel for the petitioners that the partition proceedings between the parties i.e. petitioners and respondents No. 5 to 8 have attained finality with the dismissal of the revision petition preferred by the private respondents on 30.07.2018 (Annexure P-17). Thereafter, the partition had been carried out when it was found that during the process of litigation, 33 mussana and mutation of decree passed in the case of Hemant Vasisht and others vs. Mangal Singh and others of Village Mubarakpur, Tehsil Farukhnagar, District Gurgaon has been misplaced. The process for reconstruction of these mussanas and mutation on the basis of decree is under process but the same is being delayed on one pretext or the other.

Highlighting this aspect, petitioners have submitted a representation to the Deputy Commissioner, Gurgaon on 14.08.2018

(Annexure P-18), which has, till date, not been finalized.

Learned senior counsel for the petitioners contends that the petitioners, at this stage, would be satisfied if a direction is issued to the Deputy Commissioner, Gurgaon-respondent No. 3 to consider and decide the representation of the petitioners dated 14.08.2018 (Annexure P-18) within some specified time.

Without going into the merits of the case or commenting upon the merits of the case, the present petition is disposed of with directions to the Deputy Commissioner, Gurgaon-respondent No. 3 to consider and decide the representation of the petitioners dated 14.08.2018 (Annexure P-18) at the earliest and in any case, not beyond a period of six months from the date of receipt of certified copy of the order.

December 10, 2018

pj

**(AUGUSTINE GEORGE MASIH)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No