

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

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Civil Writ Petition No.4143 of 2019 (O&M)
Date of Decision: March 13th, 2019

Avtar Singh and others

...Petitioners

Versus

The Financial Commissioner (Appeals), Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Parshotam Lal Singla, Advocate
for the petitioners.

Mr. Dinesh Kumar, Advocate
for respondents No.2 to 5.

Mr. Amandeep Singh Saini, Advocate
for respondent No.6.

AUGUSTINE GEORGE MASIH, J. (ORAL)

CM No.2915-CWP of 2019

Prayer in this application is for placing on record affidavits of respondents No.2 to 5 namely Mann Singh, Harbhajan Singh, Paramjit Singh and Jaspal Singh respectively as Annexure P-5 colly. stating therein that they have no objection if the order dated 30.11.2018 (Annexure P-4) passed by the Financial Commissioner (Appeals), Punjab is set aside and the order dated 29.09.2017 (Annexure P-1) passed by the Commissioner, Rupnagar Division, Rupnagar, is upheld.

Application is allowed subject to just exceptions.

Affidavits Annexure P-5 colly. are taken on record.

CWP No.4143 of 2019

Present is a petition where an application for mutation was filed, on the basis of which the litigation emanated.

During the pendency of the present writ petition, the parties

have amicably decided that the order dated 29.09.2017 (Annexure P-1)

passed by the Commissioner, Rupnagar Division, Rupnagar, would be acceptable to the petitioners as well as private respondents 2 to 5 and also respondent No.6.

Counsel for the parties have further not disputed the facts that these are the only legal heirs of Jaswant Singh i.e. the petitioners, respondents 2 to 5 and respondent No.6.

Counsel for respondent No.6 has stated on specific instructions that the said respondent No.6 is also giving her consent for implementation of the order dated 29.09.2017 (Annexure P-1) passed by the Commissioner, Rupnagar Division, Rupnagar.

In view of the above, the present writ petition is disposed of with direction to the competent authority to give effect to the order dated 29.09.2017 (Annexure P-1) passed by the Commissioner, Rupnagar Division, Rupnagar, if already not done so.

In the light of the above, the impugned order dated 30.11.2018 (Annexure P-4) passed by the Financial Commissioner (Appeals), Punjab, is hereby set aside.

March 13th, 2019
Puneet

AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No