

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

**CWP No. 8377 of 1999**

**Date of Decision: 03.07.2019**

Gurcharan Singh and another

...Petitioners

Vs.

Commissioner, Faridkot Division, Faridkot and others

...Respondents

**CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA**

Present: None for the petitioners.

Ms. Simar Grewal, AAG Punjab.

**RAJIV NARAIN RAINA, J. (Oral)**

1. The background in which this petition was filed two decades ago for stay of partition proceedings in the revenue court was that a civil suit filed by the petitioner regarding shares was pending in a dispute relating to the same agricultural property. It was on the premise that revenue authorities ought to desist from proceeding with drawing partition during the pendency of the civil suit in which rights to property are involved were under adjudication. It appears that it was under these circumstances that this Court vide order dated 13.09.1999 had stayed partition proceedings in the revenue court and that stay is continuing from the last 20 years. The case was listed on account of service not being effected upon the respondents and that is how on 05.10.2018 notice was issued to Mr. P.S. Brar, Advocate and Mr. Vibhor Sharma, Advocate for the petitioners. On the next date, Mr. Bansal appeared to

submit that his presence was wrongly marked and he is not engaged in this petition. Mr. Brar did not appear despite being informed. Actual date notices were ordered to be issued to the petitioners returnable by 28.01.2019 on which date the case was adjourned and has come up for hearing today.

2. The position is no better today. No one has put in appearance on behalf of the parties. This Court is prima facie of the view that the present petition has outlived its life. No one is present to inform me of the status of the title suit but having regard to the fact that two decades have gone by, it is assumed that the suit must have been decided by now.

3. Accordingly, the petition is dismissed as infructuous.

**(RAJIV NARAIN RAINA)**  
**JUDGE**

**03.07.2019**

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*Whether speaking/reasoned* : *Yes/No*  
*Whether reportable* : *Yes/No*