

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

104

Civil Writ Petition No.25152 of 2015 (O&M)
Date of Decision: December 18th, 2019

Smt. Narindra Devi

...Petitioner

Versus

Assistant Collector-cum-Naib Tehsildar Ist Grade, Bhunga,
District Hoshiarpur and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Krishan Singh Dadwal, Advocate
for the petitioner.

Mr. T.P.S. Chawla, Deputy Advocate General, Punjab.

Mr. L.S. Bhullar, Advocate
for respondents No.5 and 6.

Mr. Sandeep Bansal, Advocate
for respondents No.9 and 10.

AUGUSTINE GEORGE MASIH, J. (ORAL)

On 16.12.2019, following order was passed:-

“Learned counsel for respondents No.9 and 10 submits that the civil suit, which was pending between the parties, stands decided on 22.01.2019, which was the reason for adjourning the partition proceedings sine die by the Naib Tehsildar-cum-Assistant Collector 1st Grade, Tehsil Bhunga, District Hoshiarpur. He further states that the present writ petition, in the light of the said decision by the Civil Court, has been rendered infructuous. He, however, prays for a short adjournment to inform the Court about the stage of the proceedings of partition application.

Adjourned to 18.12.2019.

To be shown in the urgent list.”

Counsel for the petitioner does not dispute the fact that the
civil suit has been finally decided by the trial Court, although appeal is

pending against the said order.

Counsel for the parties are *ad idem* that in the light of the decision of the Civil Court, the proceedings for partition may continue subject to the objections, if any, of the parties as already taken from when the partition proceedings were adjourned *sine die* vide order dated 05.08.2015 (Annexure P-11) passed by the Naib Tehsildar-cum-Assistant Collector 1st Grade, Bhunga, District Hoshiarpur-respondent No.1.

In view of the above, the present writ petition is disposed of with directions to the Naib Tehsildar-cum-Assistant Collector 1st Grade, Bhunga, District Hoshiarpur-respondent No.1 to proceed with the partition proceedings from the stage when the order dated 05.08.2015 (Annexure P-11) was passed by him.

Efforts may be made by the said officer to conclude the partition proceedings at an early date and in any case, not beyond the period of six months as the matter is old.

December 18th, 2019

Puneet

**(AUGUSTINE GEORGE MASIH)
JUDGE**

Whether speaking/reasoned: Yes

Whether Reportable: No