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

CWP-7293-2020

Date of Decision: May 19, 2020

Beena Devi and another

.....Petitioners

Versus

Commissioner, Gurugram Division, Gurugram & others

.....Respondents

CORAM: HON'BLE MS.JUSTICE NIRMALJIT KAUR

Present: Mr.Vivek Suri, Advocate
for the petitioners.

Mr.Ashish Aggarwal, Sr.Advocate with
Mr.Kartik Gupta, Advocate-Caveator-respondent No.4.

Mr.Parduman Yadav, Advocate
for the caveators.

.....

NIRMALJIT KAUR, J. (ORAL)

On 11.05.2020, the following order was passed:-

“The petitioners have approached this Court challenging order dated 6.2.2020 (Annexure P-8) passed by respondent No.1-Commissioner, Gurugram Division, Gurugram, wherein he had set aside the order of Assistant Collector, 2nd Grade, Sohna.

The learned counsel representing the caveator/respondent No.4- Namarta Singh has raised an objection at the very outset as regards maintainability of the present writ petition on the ground that an order passed by Commissioner is revisable before Financial Commissioner. Although the learned counsel for the petitioners has submitted that the said amendment in Punjab Land Revenue Act as applicable to State of Haryana as regards filing of

revision petition came into effect from April, 2017, whereas the present proceedings had been initiated much earlier, but the learned counsel representing the caveator/respondent No.4-Namarta Singh has cited judgments passed by this Court in CWP No.10667 of 2017 titled Ram Singh and others Vs. State of Haryana and others decided on 18.5.2017 and CWP No.1211 of 2018 titled Ved Pal & others Vs. Financial Commissioner, Haryana & others decided on 25.1.2019, to contend that the amended provisions have been held to be applicable even to pending cases.

Faced with the aforesaid position, the learned counsel for the petitioners requests for an adjournment to assist this Court as regards the question of maintainability of the present petition.

List on 14.5.2020.”

Today, learned counsel for the petitioners states that they are ready to file the revision petition before the Financial Commissioner but the impugned order may be stayed meanwhile.

In view of the above, the present petition is disposed of with liberty to the petitioners to file revision petition before the Financial Commissioner in accordance with law within ten days from today. In case the revision is filed within ten days, the application will be decided within one week on filing of the same. The petitioners shall also give an advance copy of the revision petition to the respondents with prior information of the date fixed before the Financial Commissioner, when the stay application is listed.

May 19, 2020
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(**NIRMALJIT KAUR**)
JUDGE

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| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/No |