

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

113

CWP No.14927 of 2020

Date of decision:21.9.2020

KULWANT RAI

.....Petitioner

Vs

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr.Parvinder Singh , Advocate
for the petitioner.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video-conferencing.

Petitioner has preferred this writ petition in the nature of mandamus for issuance of necessary directions to respondents No.2 and 3 to sanction mutation on the basis of registered sale deeds dated 7.8.2020 and 10.8.2020 executed by vendors of the petitioner in his favour.

Learned counsel for the petitioner submits that Raksha Devi d/o Amar Chand and Balvir Kumar s/o Amar Chand executed a registered sale deed qua their shares on 7.8.2020 in favour of the petitioner. Similarly, Kalawati d/o Amar Chand and Darshana Kumari d/o Amar Chand also executed a registered sale deed qua their share in favour of the petitioner

on 10.8.2020. The sale deeds are documents of title. The aforesaid vendors were having due shares in the 1/3rd share of Amar Chand. Mutation No.9296 was duly sanctioned in favour of aforesaid vendors on 12.1.2015 and the same was given effect in the revenue record as well. Despite the aforesaid sale deeds, respondents No.2 and 3 have not adhered to sanction the mutation, particularly when there is no stay granted by the Civil Court in a suit filed by Dharamvir s/o Amar Chand against his brother and sisters.

Precisely, for the grievance in question, petitioner has already approached respondent No.2 by way of representation dated 31.8.2020. Respondent No.3 has also been approached in the context of grant of mutation vide representation dated 31.8.2020. Till date needful has not been done by the aforesaid respondents.

Notice of motion to respondents No.1 to 4.

On the asking of Court, Ms.Akshita Chauhan, Asstt.A.G.Punjab accepts notice on behalf of respondents No.1 to 4.

In view of nature of order, which this Court proposes to pass there is no necessity of calling upon any response at this stage, as no order prejudicial to the interest of respondents is being passed.

In view of above, without meaning anything on the

merits of the case, the representations dated 31.8.2020 filed before respondents No.2 and 3 respectively are directed to be decided by the authorities in accordance with law within a period of one month from the date of receipt of certified copy of this order.

Petition stands disposed of accordingly.

September 21 , 2020
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Whether reasoned/speaking
Whether reportable

(RAJ MOHAN SINGH)
JUDGE
Yes/No
Yes/No