

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

LPA-2072-2019 (O&M)

Date of decision:- 06.01.2020

Jyoti Puri Cheli

...Appellant

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI

Present:- Mr. Inderjit Sharma, Advocate,
for the appellant.

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RAVI SHANKER JHA, C.J. (ORAL)

This appeal has been filed by the appellant being aggrieved by an order dated 26.11.2019 passed by the learned Single Judge in CWP-34368-2019 dismissing the petition filed by her praying for a direction to the revenue authorities to record and mutate her name on the strength of Will dated 12.08.2002 left by Mahant Shri Pargat Puri who died on 01.04.2019.

Though the learned counsel appearing for the appellant submits that the Court was required to direct the revenue authorities to take a decision on the application filed by the appellant for mutation, it is apparent from a perusal of the impugned order passed by the learned Single Judge that it has taken into consideration the fact that the suit for permanent injunction based on the Will has already been filed by the appellant which is pending adjudication before the Civil Judge (Junior Division), Mukerian.

Apparently, the suit has been filed against Gram Panchayat, Village Kolian, Tehsil Mukerian, District Hoshiarpur which has proposed to take action against the appellant for

taking over possession of the property. There is nothing on record to indicate that the Gram Panchayat is not opposing the application or the suit filed by the appellant based on the Will. In such circumstances, we do not find any illegality in the order passed by the learned Single Judge refusing to issue any direction to the authorities in view of pendency of the civil suit and observing that the competent authority may take decision on the issue as and when the situation arises.

The appeal filed by the appellant being meritless is accordingly dismissed.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

06.01.2020
Amogh

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No