

CWP No. 12519 of 2021

Date of Decision: July 13, 2021

Harjinder Kumar and another

.....Petitioners

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. L.S. Mann, Advocate for the petitioners

Sudhir Mittal, J. (Oral)

A mutation was allegedly entered on the basis of a Will which is under challenge before the civil Court. Against the same, an appeal was filed which was, however, dismissed. The appellate order has been challenged by virtue of a revision petition but learned Financial Commissioner is not taking up the same for hearing. Meanwhile, the private respondents have approached respondent No. 3 for transfer of possession and the same has been ordered vide order dated 03.05.2021 (Annexure P-5). It is submitted that non-consideration of the revision petition is prejudicially affecting rights and interests of the petitioners.

Notice of motion to respondents No. 1 to 4 only.

Ms. Anju Sharma Kaushik, DAG Punjab accepts notice on behalf of respondents No. 1 to 4 and waives service.

Considering the nature of the order being passed, filing of written statement is dispensed with.

The writ petition is disposed of with a direction to the concerned Financial Commissioner Revenue to take up the pending revision petition earliest and in any case not later than 19.07.2021 alongwith the application for stay. Till the disposal of the stay application, dispossession of the petitioners shall remain stayed.

July 13, 2021

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No