

CWP-12012-2020

Date of decision: 28.01.2021

Brij Mohan

.....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. Deepak Arora, Advocate
for the petitioner.Mr. Shireesh Gupta, Senior DAG, Punjab
for respondents No.1 to 5-State.Mr. Munish Gupta, Advocate
for respondents No.6 and 7.Service of respondents No.8 to 11 already
dispensed with vide order dated 04.11.2020.**FATEH DEEP SINGH, J. (ORAL)**

Due to outbreak of pandemic COVID-19, the instant case
is being taken up for hearing through video conferencing.

Upon hearing counsel for the two sides and keeping in
view that the petitioner has sought to challenge through this
invocation by way of Civil Writ Petition under Articles 226/227 of the
Constitution of India for setting aside of orders dated 22.11.2017
(Annexure P-2) and 29.12.2017 (Annexure P-3) in respect of

partition proceedings in case bearing No.112-MJ1 titled 'Robin Sharma versus Joginder Singh and others' and has as well challenged the Mutation No.2914 dated 22.03.2018 pertaining to property situated at Mohalla Sukhiabad, District Hoshiarpur.

It is fairly conceded by learned counsel for the petitioner to the claim of the respondents' side that the appropriate legal remedy has been provided under the Revenue Law for approaching Financial Commissioner Revenue (FCR) and, therefore, to the mind of this Court, since a statutory remedy has been provided under the law, the petitioner, therefore, must invoke the same before coming up before this Court aggrieved over such findings.

Be so as it may, the petitioner is delegated to the remedy of filing appeal/revision which may be appropriate as per legal advice before the concerned Revenue Authority within a period of one month and till then, no orders adverse to the interest of the petitioner *qua* this dispute, shall be passed by any of the respondents.

Disposed off accordingly.

28.01.2021

Neha

**(FATEH DEEP SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No