

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

CWP-14527-2021

Date of Decision:03.08.2021

Mahipal and others

....Petitioners

VS

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Ranjeet Singh Chauhan, Advocate for the petitioners.

SUDHIR MITTAL, J. (Oral)

The petitioners have challenged Sanad dated 24.12.2020 (Annexure P-1) on the ground that they were wrongly proceeded against ex-parte. In support of this argument, counsel for the petitioners has referred to report (Annexure P-4) endorsed on the summons. He has also relied upon zimni orders annexed as Annexure P-3.

A perusal of Annexure P-4 shows that Mahipal (petitioner No.1) had received summons. His sisters (petitioners No.3 to 6) were not served as they were married and living with their in-laws. Zimni orders Annexure P-3 show that fresh address of the sisters, who were respondents no.5 to 11 before the Tehsildar was not provided and *munadi* was ordered.

Parties are co-sharers. Land owned by the petitioners is also un-partitioned. Thus, service upon one co-sharer is sufficient service upon all. There is no explanation for Mahipal not having put in appearance despite service. Thus, the petitioners cannot say that they were wrongly proceeded against ex-parte.

The writ petition has no merit and is dismissed.

**(SUDHIR MITTAL)
JUDGE**

03.08.2021

Poonam Negi