

CWP-17324-2020

Date of decision : February 08, 2021

PRIYANKA

.....Petitioner

Versus

STATE OF HARYANA AND OTHERS

....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Shailendra Jain, Senior Advocate with
Mr. Sidharath Goyal, Advocate for the petitioner.

Mr. Ashish Yadav, Addl.AG, Haryana.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

Prayer in this writ petition is for issuance of a writ in the nature of mandamus for directing respondents No. 1 and 2 to sanction mutation No. 1893 except khasra No. 413//24/1/1 situated in the Revenue Estate of village Hansi, Hadbast No. 119 Tehsil and District Hisar in favour of State of Haryana as the land in question, it is submitted, was acquired vide award No. 30-H (Annexure P3). Co-sharers of the petitioner had submitted application dated 24.04.2015 (Annexure P13) for entering of mutation of the acquired land in favour of State of Haryana. Objections were raised by Harish Chander and Avantika wife of Ankur. Application for stay of mutation proceedings qua mutation No. 1893, was moved by the said persons with the plea that question of ownership qua khasra No. 413//24/1/1 is pending adjudication. Consequent thereto, order dated 30.01.2018 (Annexure P16) was passed wherein learned City Magistrate-cum-Assistant Collector, Grade-1, Hisar observed that proceedings of mutation cannot be

adjourned sine die, therefore, the objections raised by the said persons were dismissed.

Learned counsel for the petitioner is unable to deny that CWP-4667-2018 has been filed by Harish Chander and Avantika Singla wherein operation of order dated 30.01.2018 (Annexure P16) has been stayed on 27.02.2018. Said writ petition is admittedly pending adjudication. Petitioner, in this case, seeks sanction of mutation No. 1893 itself though without inclusion of khasra No. 413//24/1/1.

Faced with this situation, learned counsel for the petitioner seeks to withdraw this writ petition with liberty to the petitioner to avail remedy/remedies available to her in accordance with law.

Accordingly, present petition is dismissed as withdrawn with liberty as aforementioned.

February 08, 2021
Rts

(Lisa Gill)
Judge

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