

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

216

**CWP-14835-2018(O&M)
Date of Order: 03.09.2021**

AMARJIT KAUR

..Petitioner

Versus

STATE OF PUNJAB AND ORS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: None for the petitioner.

Mr. Sherry K. Singla, Advocate
for the respondent No.7.

Ms. Sunint Kaur, AAG, Punjab.

ANIL KSHETARPAL, J(Oral)

The hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

On 31.08.2021, learned counsel representing the petitioner did not come forward to attend the hearing. Hence, the case was adjourned to today while directing the office to intimate the counsel representing the petitioner.

In the pre-lunch session, learned counsel representing the petitioner sought pass-over. He was apprised of the fact that the impugned order has been upheld by learned Single Judge as well as Division Bench in LPA No.1092 of 2018. However, in the post-lunch session, he has not come forward to attend hearing.

Mr. Sherry K. Singla, learned counsel representing the applicant-respondent No.7 has pointed out that Satpal Singh, Bhupinder Singh, Jagtar Singh, Jaspal Singh and Devinder Singh filed an application for referring the dispute with regard to the apportionment to the Court.

On being referred, learned Additional District Judge, Patiala, vide judgment dated 05.12.2017, dismissed the objections.

Thereafter, the aforesaid objectors filed CWP-8999-2018 which was dismissed by the learned Single Judge vide order dated 30.04.2018. The objectors filed LPA-1092-2018, which was also dismissed vide order dated 06.08.2018.

Sh. Sherry K. Singla, Advocate, has further pointed out that the petitioner (Amarjeet Kaur daughter of Mohinder Singh) was a respondent before the learned Additional District Judge, Patiala.

Once the objections filed by Satpal Singh etc. were dismissed, Smt. Amarjeet Kaur possibly could not have any grievance. However, after the dismissal of the Letter Patent Appeal, Smt. Amarjeet Kaur filed this writ petition without impleading the other co-owners as party.

Learned counsel contends that Smt. Amarjeet Kaur while filing the petition did not disclose the judgment of the learned Single Judge which has been affirmed in Letter Patent Appeal.

Thus, it is apparent that the petitioner has made an attempt to misuse the process of the Court. Not only the petitioner has chosen to withhold the facts from the Court but also attempted to mislead the Court.

Keeping in view the aforesaid facts, the writ petition is dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

September 03, 2021

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**(ANIL KSHETARPAL)
JUDGE**

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