

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

Sr. No.116

**CM Nos.6425 & 6426-CWP-2022 in/and
Civil Writ Petition No.5228 of 2022
Date of Decision : April 29, 2022**

Rattan Lal (Deceased) through his LRs. and another ...Petitioners

Versus

Commissioner, Gurugram Division, Gurugram and others ...Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Keshav Pratap Singh, Advocate and
Mr. Anmol Puri, Advocate,
for the petitioners.

Mr. Rajneesh Chadwal, AAG, Haryana,
for respondents No.1 to 3.

Mr. Shobit Phutela, Advocate,
for respondent No.4.

Mr. Aashish Chopra, Senior Advocate with
Ms. Mehar Nagpal, Advocate,
for the applicant-respondent No.5.

SUDHIR MITTAL, J. (ORAL)

CM-6425-CWP-2022

This application has been filed for advancing the date of hearing in the main case from 23.05.2022 to an earlier date as the applicant is willing to concede the case of the non-applicant-petitioners regarding the Commissioner having jurisdiction to entertain a revision against the sanad.

Notice of the application.

Mr. Keshav Pratap Singh, Advocate along with Mr. Anmol Puri, Advocate accepts notice on behalf of the non-applicant-petitioners and waives service. He has no objection in case the application is allowed.

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Accordingly, the application is allowed and date of hearing in the main case is advanced to today. It is taken on board.

CWP-5228-2022 (O&M)

Learned counsel for respondents No.4 & 5 submit that the Commissioner, Gurugram Division, Gurugram was factually in error in concluding that he had no jurisdiction to decide the revision filed against the sanad in view of the amendment. It is thus, submitted that the writ petition may be allowed and the matter may be remanded to the Commissioner, Gurugram Division, Gurugram for deciding the case on merits.

In view of the aforementioned statement made by learned counsel for respondents No.4 & 5, the writ petition is allowed and impugned order dated 30.11.2021 (Annexure P-8) passed by the learned Commissioner, Gurugram Division, Gurugram is quashed. The matter is remanded to him for a fresh decision on merits.

Pending miscellaneous application, if any, also stands disposed of.

April 29, 2022

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No