

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CWP No.13485 of 2022

Date of Decision: 18.07.2022

Jaspal Singh Gaba

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Lupil Gupta, Advocate,
for the petitioner.

SUDHIR MITTAL, J. (Oral)

This writ petition has been filed for issuance of a writ in the nature of Mandamus directing respondent no.3 (Tehsildar-cum-Sub Registrar, Guruharsahai) to take a final decision on the application dated 02.06.2022.

A perusal of the aforementioned application shows that prayer has been made for cancellation of a sale deed executed by the neighbour of the petitioner selling the adjoining shop along with the staircase and for staying the entry of mutation.

Respondent No.3 has no powers to cancel a registered sale deed. The same can only be done by Civil Court and thus the relief sought is not within his jurisdiction.

The second relief is for stay of entry of mutation.

A civil suit has already been filed by the petitioner. The nature thereof is not forthcoming from the record. It is, however, settled law that

only the Civil Court can decide the questions of title and that mutation must follow title.

With the aforementioned observations, the writ petition stands disposed of.

18.07.2022
manju

(SUDHIR MITTAL)
JUDGE

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