

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 1768 of 2021 (O&M)

Date of Decision: 19.12.2022

Amar Singh (Since Deceased) through his Legal Representatives

... Petitioner(s)

Versus

Smt.Santosh and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Sanjay Mittal, Advocate
for the petitioner(s).

Mr. Vishal Yadav, Advocate
for the respondents.

Anil Kshetarpal, J.

1. The correctness of the interlocutory order passed by the trial Court which was subsequently modified in the appeal by the First Appellate Court has been questioned in the present revision petition. The operative part of the order passed by the First Appellate Court reads as under:-

“6. Learned counsel for respondents No.1 &4 submitted that appellant should get rectified mutation No.986 dated 20.01.2018. In pursuance of the submission made by counsel for respondents No.1 & 4, learned counsel for appellant made statement that he will get rectified the mutation No.986 dated 30.01.2018 and will claim his share after rectification. He prayed that the appeal may kindly be disposed of as per his statement.

7. *In view of the above statement, appeal in hand stands disposed off. Tehsildar concerned is directed to rectify mutation No.986 dated 30.01.2018 as and when parties to alleged dispute appears for it. Parties through counsels are directed to appear before learned trial court on 09.12.2020 to attend further proceedings. Trial Court record be sent back along with a copy of the order. Appeal file be consigned to record room, after due compliance.”*

2. The learned counsel representing the petitioner submits that the parties are not entering appearance before the Tehsildar to get the mutation entry corrected. On the other hand, the learned counsel representing the respondents submits that the mutation entry has already been corrected in compliance with the order dated 05.11.2020.

3. It is evident that the order was passed with the consent of the learned counsels for the parties. It is not the case of the petitioner that the aforesaid consent was wrongly recorded.

4. With the observations made above, the present revision petition is disposed of.

5. The miscellaneous application(s) pending, if any, shall also stand disposed of.

(Anil Kshetarpal)
Judge

December 19, 2022
“DK”

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