

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-15240-2022

Date of Decision: 18.07.2022

Shyam Lal

....Petitioner

VS

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. Parminder Singh, Advocate
for the petitioner

SUDHIR MITTAL, J. (Oral)

The petitioner is the son of one Ramesh who had two wives. The petitioner was born from the first wife. With the second wife a daughter Pooja has been born. Said Ramesh executed a relinquishment deed in favour of his wife and upon her death the entire property of Ramesh has been mutated in favour of Pooja. Appeal and revision filed by the petitioner have failed.

Learned counsel for the petitioner submits that a civil suit has been filed by him challenging the relinquishment deed executed by Ramesh. The suit has been dismissed but appeal is pending and status quo has been ordered therein. Thus, the authorities were not justified in upholding the mutation in favour of Pooja.

Upon relinquishment deed having been executed, the property of Ramesh vested in his second wife namely Poonam. Upon her death, her daughter was the sole heir and entitled to inherit her property and, thus mutation was entered in her favour. The same was legal and valid and could not have been interfered with. The impugned orders do not suffer from any infirmity. Since civil Court proceedings are pending, ultimately, the mutation will abide by the final decision

thereof.

In view of the above, the writ petition has no merit and is dismissed.

18.07.2022
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(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No