

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

Sr. No.115

**CWP-18612-2022 (O&M)
Date of decision : 24.08.2022**

Tejinder Singh

..... Petitioner

VERSUS

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)

Baljit Singh, father of the petitioner was the owner of certain property. He died on 13.11.2015. Prior to his death, he had executed registered Will dated 08.03.2008 in favour of the petitioner. Based thereupon, mutation No.523 dated 16.09.2017 was sanctioned in favour of the petitioner. Subsequently, respondents No.5 to 7 sought entry of mutation on the basis of sale deed executed by said Baljit Singh on 02.03.2010. Mutation has been sanctioned and appeal and revision preferred by the petitioner have failed.

Learned counsel for the petitioner has submitted that civil suit challenging the sale deed dated 02.03.2010 is pending adjudication. Thus, the revenue authorities should have kept the mutation proceedings pending awaiting the decision of the civil Court.

As on date, there is no finding of any competent Court that the sale deed dated 02.03.2010 is illegal. Thus, the argument raised cannot be accepted. Mutation proceedings are not in the nature of partition proceedings, where, the statute requires that proceedings be kept in abeyance

pending the decision of civil Court. In case, the civil suit filed by the petitioner is decreed, mutation will be entered on the basis thereof.

In view of the above, the writ petition is dismissed being devoid of merits.

(SUDHIR MITTAL)
JUDGE

24.08.2022
Ramandeep Singh

Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No