

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-2806-2023

Date of decision : 13.02.2023

Satpal Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Ms.Amandeep Soni, Advocate
for the petitioner.

Mr.Ferry Sofat, Addl.A.G. Punjab
for respondents no.1 to 5.

VIKAS BAHL, J.(ORAL)

This is a civil writ petition under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari to quash the order dated 30.11.2021 (Annexure P-4) passed by the Financial Commissioner (Appeals) Punjab Chandigarh who had accepted the revision petition of respondents no.6 and 7 against the order dated 05.07.2016 (Annexure P-3) passed by the Commissioner, Jalandhar Division, Jalandhar and had sanctioned the mutation on the basis of registered Will dated 12.06.2003.

Learned counsel for the petitioner has submitted that in view of the law laid down in “***Jagjit Singh vs. Divisional Commissioner, Patiala and others***” passed in CWP-13799-2010 decided on 30.07.2012 wherein the Division Bench had observed that since the proceedings are summary in nature and in exercise of administrative functions, therefore, such

proceedings do not create or extinguish any right or title in the land and questions regarding said right or title are to be decided by a Civil Court.

Learned counsel for the petitioner seeks to withdraw the present petition with liberty to institute a suit challenging the registered Will and for seeking further reliefs, in accordance with law.

In view of the statement made by learned counsel for the petitioner, the present petition is dismissed as withdrawn with the aforesaid liberty.

In case any such civil suit or other proceeding is initiated, the same would be considered independently in accordance with law, by the Civil Court after considering all the documents and the pleas raised by all the concerned parties.

(VIKAS BAHL)
JUDGE

February 13, 2023
Davinder Kumar

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