

2023:PHHC:095626

107+201 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-4360-2020 (O&M)
Date of Decision: 27.07.2023

Om Parkash and others

..... Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. R.D. Yadav, Advocate, for the petitioners.
Ms. Upasana Dhawan, Assistant Advocate General, Haryana.
Mr. R.K. Girdhwal, Advocate, for respondents No.4 to 12.

Rajesh Bhardwaj, J. (ORAL)

CM-11623-CWP-2023

This is an application for bringing the legal heirs of respondent No.8-Ranvir on record.

Notice in the application.

Mr. R.D. Yadav, Advocate, accepts notice on behalf of the petitioner and pleads no objection, if the application is allowed.

For the reasons mentioned in the application, the same is allowed. Legal heirs of respondent No.8 as mentioned in para No.2 of the application are ordered to be brought on record.

The amended memo of parties annexed with the application is taken on record.

CWP-4360-2020

Prayer in the present petition is for quashing of orders dated 31.05.2019 (Annexure P-1 and Annexure P-2) and orders dated 10.01.2020 (Annexure P-5 and P-6) passed by respondents No.3 and 2, respectively and further issuance of direction to respondent No.3 not to further proceed with the

partition application filed by the private respondents bearing No.38 and 22 of 2018 pending before him.

On interaction with both the counsel for the parties, both are *ad idem* on the point of disposing of the present petition with direction to the learned Civil Court for deciding the civil suit pending between them in a time bound manner. It has been submitted that the partition proceedings were initiated by respondents No.4 to 12 and the same is at the initial stage and the petitioners have approached this Court impugning the orders dated 31.05.2019 and 10.01.2020.

Learned counsel for respondents No.4 to 12 has submitted that he has no objection, if the impugned orders are set aside with a direction to the Civil Court to decide the civil suit at the earliest.

In view of the above agreed position, the impugned orders dated 31.05.2019 and 10.01.2020 are set aside. The learned Civil Court is requested to decide the civil suit pending between the parties expeditiously preferably within six months from today.

The petition stands disposed of.

27.07.2023
sharmila

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No

(RAJESH BHARDWAJ)
JUDGE