

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(252)

CWP-5129-2020

Date of decision: - 16.02.2023

Harwinder Kaur

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Sapan Dhir, Advocate
for the petitioner.

Mr. Karan Puggal, DAG, Punjab
for respondents No.1 to 4.

VIKAS BAHL, J. (ORAL)

This writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction in the nature of mandamus directing the respondents to get delivered the possession to the petitioner of the land allotted to her share through instrument of partition (*sanad takseem*) as per the provisions of Section 122 of the Punjab Land Revenue Act, 1887.

Learned counsel for the petitioner has submitted that *sanad takseem* in the present case was prepared on 19.05.2009 and the petitioner had moved an application before the Assistant Collector 1st Grade-cum-Tehsildar, Ajnala, Tehsil Ajnala, District Amritsar/respondent No.4, for seeking possession and the said application has been pending since 2019 and has not been finally decided.

Learned counsel for the petitioner has further submitted that the petitioner would be limiting her prayer only for seeking direction to respondent No.4 to decide the said application as expeditiously as possibly, preferably within a period of four months from the date of receipt of certified copy of this order.

Keeping in view the above-said facts and circumstances and also the prayer made by the petitioner, respondent No.4 is directed to decide the application filed by the petitioner for possession in pursuance of the *sanad takseem* dated 19.05.2009, as expeditiously as possibly, preferably, within a period of four months from the date of receipt of certified copy of this order.

It is made clear that this Court has not opined on the merits of the maintainability of the said application and the same would be considered independently by respondent No.4 in accordance with law.

February 16, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No