

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

205

2023:PHHC:151392-DB

CWP-18475-1991

Date of Decision: 29.11.2023

Rattan Singh

.....Petitioner(s)

Versus

Union of India and others

...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA
HON'BLE MS. JUSTICE LAPITA BANERJI**

Present:- None for the petitioner.

Ms. Gauri Neo Rampal, Sr. Panel Counsel,
for respondent Nos.1, 3, 4 and 6.

Mr. Deepak Suri, Advocate,
for respondent No.2.

Ms. Kiran Bala Jain, Advocate,
and Mrs. Pushp Gupta, Advocate,
for respondent Nos.13, 14 and 15.

G.S.SANDHAWALIA, J. (Oral)

1. None is present on behalf of the petitioner. Even on the last date of hearing i.e. on 09.03.2023, none was present.

2. The relief claimed in the present writ petition is to return the bank notes of the value of Rs.1,50,000/- and to refund the amount alongwith interest and further directions to implement the orders of the Settlement Commission.

3. A perusal of the paper book would further go on to show that the original petitioner namely Rattan Singh had apparently died on 09.02.1999. His son Narinder Singh was brought on record as legal representative vide order dated 17.04.2007 vide CM-4629-CWP-2007. He is also stated to have died on 02.05.2010 leaving behind Amarjit Kaur, the widow, Paramjit Singh, the son and two daughters namely Avnit Kaur and Ajit Kaur as legal

representatives. In CM-1507-CWP-2011, it has been averred that there are

no other legal heirs of the original deceased-petitioner namely Narinder Singh. However, Kartar Singh, General Power of Attorney, had filed the affidavit in support of the application being conversant with the facts.

4. In the presence of the legal heirs, we are of the considered opinion that Kartar Singh had no such authority to file the application on the basis of the power of attorney of the deceased which was no longer in force. Therefore, the substitution allowed on 04.02.2011, which was subject to just exceptions, cannot be approved in the facts and circumstances. Even otherwise, none is representing the petitioner for the last two dates.

5. Accordingly, the present petition is dismissed for want of prosecution and for the above said reason.

(G.S. SANDHAWALIA)
JUDGE

29.11.2023
shivani

(LAPITA BANERJI)
JUDGE

Whether reasoned/speaking
Whether reportable

Yes
No