

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

(106)

CWP-8628-2023

Date of decision: - 26.04.2023

Bhagat Singh

....Petitioner

Versus**State of Haryana and others**

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Nipun Vashist, Advocate
for the petitioner.

Ms. Upasana Dhawan, AAG, Haryana
for respondents No.1 to 3.

VIKAS BAHL, J. (ORAL)

1. This writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ of certiorari to set aside orders dated 18.01.2023 (Annexure P-4) and 11.04.2023 (Annexure P-5) passed by the Commissioner and Financial Commissioner.

2. A perusal of the paper-book would show that neither the reply filed to the application for partition, nor the mode of partition nor the sanad takseem dated 15.11.2019 nor the zimni orders showing as to whether any objection to the said Naksha was filed or not, have been annexed with the present CWP. A comparison between the plaint (Annexure P-1) and the revision dated 25.01.2021 (Anenxure P-2) would also show that there is a difference in the particulars of the land, inasmuch as, in the plaint (Annexure P-1) the land is stated to be 15

kanals 2 marlas, whereas, in the revision petition (Annexure P-2) the land is stated to be 39 kanal 12 marla.

3. Learned counsel for the petitioner in view of the above seeks to withdraw the present writ petition with liberty to file a fresh petition after giving full and better particulars and after annexing all the orders.

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 In view of the above statement of learned counsel for the petitioner, the present writ petition is dismissed as withdrawn, with the aforesaid liberty.

April 26, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No