

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-10307-2023

Date of decision : 11.05.2023

Har Phool @ Phool Singh

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Anoop Singh Sheoran, Advocate
for the petitioner.

Ms.Rajni Gupta, Addl.A.G. Haryana
for respondents no.1 to 3.

VIKAS BAHL, J.(ORAL)

1. This is a civil writ petition filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondents no.2 and 4 to stop the partition proceedings dated 08.05.2023 (Annexure P-7) passed by Tehsildar-cum-Assistant Collector 2nd Class, Loharu in view of Sanad Takseem dated 22.09.2021 (Annexure P-3).

2. Learned counsel for the petitioner has submitted that the petitioner has filed ROR dated 28.04.2023 in which challenge has been made to the orders passed by the revenue authorities and the said ROR is pending for 12.05.2023 before the Financial Commissioner (Revenue) for preliminary hearing. Learned counsel for the petitioner has submitted that he would be satisfied in case respondent no.2 is directed to consider said ROR for preliminary hearing on 12.05.2023 and to pass an appropriate order, in accordance with law.

3. Keeping in view the above said facts and circumstances, the present petition is disposed of with a direction to respondent no.2 to make every endeavour to take up the said ROR filed by the petitioner, on 12.05.2023, in case the same is listed before respondent no.2 and to pass an appropriate order, in accordance with law.
4. It is made clear that this Court has not opined on the merits of the case and respondent no.2 would consider the said ROR for preliminary hearing, in accordance with law.

(VIKAS BAHL)
JUDGE

May 11, 2023
Davinder Kumar

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