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2023:PHHC:075534

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-10964-2023

Date of decision : 24.05.2023

Sandeep Kumar and another

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Parvez Chugh, Advocate for the petitioners.

Mr.Ferry Sofat, Addl.A.G. Punjab
for respondent nos. 1 to 5.

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 certiorari for quashing the order dated 09.12.2019 (Annexure P-5) passed by respondent no.2 in ROR no.261 of 2015. Challenge is also to the other orders vide which mutation no.1273 of village Khunder Hithar, District Ferozepur pertaining to inheritance of deceased Roshan Lal was sanctioned in favour of respondents no.6 to 8.

2. Learned counsel for the petitioner has submitted that in view of para 27 of the judgment of Division Bench of this court in **Jagjit Singh vs. Financial Commissioner, Patiala and others**, reported as **2012(13) RCR (Civil) 96**, he be permitted to withdraw the present petition with liberty to institute a civil suit seeking declaration of the rights of the petitioners.

3. In view of the statement made by learned counsel for the petitioners, the present petition is dismissed as withdrawn with the aforesaid liberty.

4. It is made clear that if any such civil suit (or other proceeding) is filed, the same would be decided independently, in accordance with law.

(VIKAS BAHL)
JUDGE

May 24, 2023

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No