

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(116)

CWP-11311-2023

Date of decision: - 24.05.2023

Gian Chand

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Vineet Chaudhary, Advocate,
for the petitioner.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Articles 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction especially in the nature of mandamus directing the respondents to enter and sanction the mutation of the suit land in favour of the petitioner in pursuance of the judgment and decree dated 19.07.2011 (Annexure P-2) passed by the Civil Judge (Junior Division), Panchkula.

2. A perusal of the paper-book would show that no jamabandi, much less, the latest jamabandi has been produced on record to show as to who is the owner of the property in question. From a perusal of the judgments annexed as Annexures P-1 and P-2, it appears that the land was shamlat land and the gram panchayat had not been impleaded as party in either of the said two cases.

3. Learned counsel for the petitioner, in the said circumstances, seeks to withdraw the present writ petition with liberty to file a fresh petition after annexing the relevant documents and after referring to the relevant provisions of law on the basis of which, in the facts and circumstances, the mutation could still be entered in the name of the petitioner.

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 In view of the above-said statement learned counsel for the petitioner, the present writ petition is dismissed as withdrawn, with the aforesaid liberty.

May 24, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No