

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-15360-2019

Date of decision: 02.05.2023

RAMESH SINGH

...Petitioner

Versus

STATE OF PUNJAB AND ORS

...Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Saurabh Arora, Advocate for the petitioner.

Mr. Maninder Singh, DAG, Punjab

Mr. S.K. Sharma, Advocate for respondent No.8-UIO.

SURESHWAR THAKUR, J. (ORAL)

1. The mandamus claimed in the instant petition, is that, a revenue rasta be directed to become carved over the writ lands for enabling the petitioner to exercise thereons his easmentary rights. However, since the writ lands are owned by the Central Government, therefore, when they were not brought to consolidation nor in the finalized consolidation scheme, a revenue rasta was carved for the relevant purpose.
2. Therefore, and, besides since the petitioner instituted a civil suit claiming therein the relief of his being declared to exercise easmentary rights over the petition lands, but yet when a disaffirmative verdict became recorded thereons, thus resulting in an appeal being raised thereagaisnt before the learned Appellate Court, which is yet subjudice therebefore.
3. Consequently, the writ petition is mis-constituted, and, is dismissed as such. The learned Appellate Court concerned, seized with the relevant appeal may proceed to decide it expeditiously, and, in accordance with law.

(SURESHWAR THAKUR)
JUDGE

02.05.2023

Ithlesh

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned:-
Whether reportable:

Yes/No
Yes/No