

**CWP-16984-2023**

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Neutral Citation No. **2023:PHHC:106138**

**119**

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

**CWP-16984-2023**

**Date of Decision: August 17, 2023**

Baksho

.....Petitioner

Versus

Financial Commissioner(Appeals) and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ**

Present: Mr.Amardeep Singh Gill, Advocate  
for the petitioner.

.....

**RAJESH BHARDWAJ, J.(ORAL)**

Instant writ petition has been filed under Articles 226/227 of the Constitution of India praying for issuance of a writ in the nature of certiorari for quashing/setting aside the order dated 25.01.2023 of Financial Commissioner (Appeals), Punjab, Annexure P-15, vide which order dated 17.02.2016 of Commissioner Jalandhar Division, Jalandhar, Annexure P-11, has been wrongly, illegally and erroneously set aside and order dated 11.09.2015 of Naib Tehsildar-cum-Assistant Collector Ist Grade, Shahkot, District Jalandhar, Annexure P-9, has been upheld, vide which the partition proceedings have been adjourned *sine die* till the decision of the Civil Court.

Counsel for the petitioner fairly submits that title in this case has already been settled in his favour upto the Hon'ble Apex Court. He has submitted that civil suit filed by respondent No.4 has already been dismissed, however, appeal filed by respondent No.4 against the same is pending adjudication before the District Judge, Jalandhar, and on account of the same, proceedings have been adjourned *sine die* to await the decision of

the appeal. However, he prays for withdrawal of this petition with liberty to the petitioner to pursue her remedy before the Court concerned where appeal is pending. He has further submitted that proceedings are pending since the year 2018 and the same are being delayed by the respondents intentionally.

Petitioner is allowed to withdraw the present petition with liberty to pursue her remedy before the learned District Judge. However, learned District Judge is requested to expedite the hearing of the case and decide the same expeditiously preferably within six months.

August 17, 2023  
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( RAJESH BHARDWAJ )  
JUDGE

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|----|-----------------------------|--------|
| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ?        | Yes/No |