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

CWP-27483-2018

Date of decision: 26.05.2023

Sudhir Kumar and another

...Petitioners

Versus

Financial Commissioner, Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Rajender Goel, Advocate for the petitioners.

Ms. Rajni Gupta, Addl. A.G., Haryana
for respondent Nos.1 to 3.

Mr. Keshav Pratap Singh, Advocate for respondent No.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 15.05.2018 (Annexure P-8) passed in ROR No.192 of 2009-10 relating to mutation No.5249 of Mauja Kaul, Tehsil and District Kaithal by respondent No.1.

2. Learned counsel for respondent No.5 has submitted that in the present case, civil suit filed by the petitioners has been dismissed and Will in favour of respondent No.5 has been upheld. It is further submitted that since, as per impugned order, mutation has been sanctioned in favour of respondent No.5 thus, in view of judgment of the Civil Court, the present

writ petition deserves to be dismissed.

3. Learned counsel for the petitioners has submitted that in view of the fact that civil suit has been decided and Will has been upheld, thus, the present Civil Writ Petition has been rendered infructuous. It is further submitted that appeal against the said judgment has been filed and has prayed that after the decision by the Appellate Court, mutation should follow the decision of the Appellate Court.

4. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of as having been rendered infructuous.

5. Needless to say that in case, any subsequent judgment is passed by the Civil Court either by the Additional District Judge or in further appeal by the High Court or by Hon'ble the Supreme Court, the mutation would be entered as per the said judgment(s) passed.

26.05.2023*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:-****Yes/No****Whether reportable:-****Yes/No**