

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.18192 of 2023
Date of decision : 21.08.2023

Sandeep Singh Johal and another

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Vivek K. Thakur, Advocate
for the petitioners.

RAJESH BHARDWAJ, J. (Oral)

Present writ petition has been filed for issuance of a writ in the nature of mandamus directing respondents No.1 to 5 to conclude the partition proceedings as mentioned in the application dated 11.11.2011 (Annexure P-2) within some stipulated period of time, as respondent No.5 has failed to take final decision on partition case despite the issuance of time bound directions by respondent No.2 vide orders dated 21.05.2018 and 17.10.2019 (Annexures P-5 and P-6) without there being any stay order passed by any higher Court.

It has been contended by learned counsel for the petitioners that partition proceedings are pending before respondent No.5 since 2011. He submits that though after filing the partition proceedings, the same were challenged by respondents No.6 to 8 before the Appellate and Revisional Authorities. He further submits that the case was remanded to respondent No.5 to decide the matter as per law after hearing both the

parties. He submits that there is no interim stay against the partition proceedings but despite that there is no progress in the partition proceedings.

Notice of motion.

On asking of the Court, Ms. Akshita Chauhan, DAG, Punjab appears and accepts notice on behalf of respondents No.1 to 5-State.

After hearing learned counsel for both the parties, the present petition is disposed of with a direction to respondent No.5-Tehsildar-cum-Assistant Collector 1st Grade, Patiala that if there is no interim stay by the higher authorities, the partition proceedings be concluded in accordance with law within a period of three months from today.

(RAJESH BHARDWAJ)
JUDGE

21.08.2023

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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No