

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

**CWP No.452 of 2018
Date of Decision : 22.08.2023**

Vakil Singh

..... Petitioner

Versus

**Naib Tehsildar-cum-Assistant Collector 1st Grade,
Mukerian, Hoshiarpur and others**

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Rai Singh Chauhan, Advocate with
Mr. Rohit Sapehiya, Advocate and
Ms. Deepika Chauhan, Advocate
for the petitioner.

Mr. Arun William, AAG, Punjab.

Ms. Sushma Chopra, Advocate
for respondents No.2 and 3.

RAJESH BHARDWAJ, J. (Oral)

Present writ petition has been filed for issuance of a writ in the nature of certiorari for quashing of order dated 21.11.2017 (Annexure P-6) passed by Naib Tehsildar-cum-Assistant Collector 1st Grade, Mukerian, vide which mode of partition has erroneously been approved. Further prayer has been made for issuing direction to the Naib Tehsildar-cum-Assistant Collector 1st Grade, Mukerian for framing fresh mode of partition by incorporating the clause maintaining the possession in tact and abadi area be excluded from the partition as the revenue authorities have no jurisdiction to partition the abadi area.

At the outset, learned counsel for the petitioner has submitted that after the amendment, remedy of the petitioner lies before the Collector for redressal of his grievance.

Learned counsel for respondents No.2 & 3 has endorsed the same.

In view of the above position, the present petition stands disposed of with liberty to the petitioner to approach the concerned Collector, who would decide the petition filed by the petitioner along with stay application expeditiously in accordance with law.

22.08.2023
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(RAJESH BHARDWAJ)
JUDGE

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