

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

107+233

CWP-25649-2021 (O&M)
Decided on : 20.07.2023

Arun Kumar Sharma and others

. . .Petitioners

Versus

State of Haryana and others

. . . Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

PRESENT: Mr. Amit Jain, Sr. Advocate with
Mr. S. S. Dinarpur, Advocate
Mr. Aman Godara, Advocate
Mr. Gaurav Bhardwaj, Advocate and
Mr. Anupam Mathur, Advocate for the petitioners.

Ms. Safia Gupta, Assistant Advocate General, Haryana.

RAJESH BHARDWAJ, J. (Oral)

CM-174-CWP-2023

Prayer in the present application is for placing on record the Mutations i.e. Annexure P-16 to P-34.

In view of the averments mentioned in the application, same is allowed. Accordingly, Annexures P-16 to P-34 are ordered to be taken on record, subject to all just exceptions.

Application stands disposed of.

Main Case

Prayer in the instant petition filed under Article 226/227 of the Constitution of India, is for issuance of directions to respondent-authorities to rectify the mutation entries bearing Mutation No. 1422 dated 21.10.1985 and Mutation No. 1949 dated 12.11.1991 sanctioned subsequent to order dated 05.09.1990 passed by Special Collector, Gurugram; and also for entering the names of the petitioners as owners of the land.

It is contended by learned counsel for the petitioners that issue pertaining to the surplus land already stands decided. Despite that respondents-authorities are not finalizing the mutation proceedings as prayed for by the petitioners.

On the other hand, learned State counsel submits that regarding the said issue, one Special Leave to Appeal No. 20370 of 2016 is already pending.

However, learned counsel for the petitioners has refuted the same and submitted that the issue involved in the said SLP has no bearing on present petition.

After hearing the counsel for the parties and without going in the merits of the case, it is apparent that the mutation proceedings are pending before the respondent-authorities, but no final decision has been taken by them till date.

In view of the facts and circumstances of the case, the present petition is disposed of with a direction to respondent No.3- District Collector, Gurugram, to decide the Mutation proceedings pending before him, expeditiously in accordance with law preferably within one month from the date of receipt of a certified copy of this order.

Pending miscellaneous application, if any, also stands disposed of.

(RAJESH BHARDWAJ)
JUDGE

20.07.2023

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<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>