

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

CWP-19353-2023

Date of decision : 01.09.2023

Jaspal Singh

.....Petitioner

versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Chetan Bansal, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

Prayer in the present petition is for quashing the order dated 02.05.2023 (Annexure P-1) passed by learned Tehsildar-cum-Assistant Collector 1st Class, Hoshiarpur (Annexure P-1) wherein the learned Court re-started the proceedings in the partition case titled as Sucha Singh and others Vs. Jaspal Singh and others which is patently illegal and against the settled position of law.

It has been contended by counsel for the petitioner that ROR filed by the petitioner is fixed for today itself before the Financial Commissioner in which notice has been issued. He submits that the partition proceedings were adjourned *sine die* vide order dated 12.10.2022 and thus, it is apparent from the order that the same are pending adjudication. He submits that despite that now, the Tehsildar-cum-Assistant Collector Ist Class has re-initiated the partition proceedings and as there is no final order in the mutation proceedings, partition proceedings could not have been initiated. He further submits that the certified copy of the order dated 02.06.2022 is not available and

thus, his grievances are not being entertained.

Notice of motion.

On asking of Court, Ms. Akshita Chauhan, DAG, Punjab accepts notice on behalf of the respondent-State.

Heard. After hearing the counsel for the parties and perusing the record, the present petition is disposed of with liberty to the petitioner to file representation for redressal of his grievance to the Deputy Commissioner, Hoshiarpur within seven days from today. If he files any such representation, then the Deputy Commissioner, Hoshiarpur would deal with and decide the same within two weeks thereafter.

01.09.2023
m. sharma

(RAJESH BHARDWAJ)
JUDGE

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