

158

2023:PHHC:141056

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

**CWP-25049-2023 (O&M)
Date of decision: 06.11.2023**

Milanpreet Singh and Another

....Petitioners

Versus

State of Punjab and Others

....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Rajinder Kumar Singla, Advocate
for the petitioners.

RAJESH BHARDWAJ J. (Oral)

Prayer in this petition is for issuance of a writ in the nature of certiorari seeking quashing of order dated 12.09.2014 (Annexure P-13) passed by respondent No.5 conveyed to respondent No.7 vide his office endorsement No.7074 dated 12.09.2014 made on the application of respondent No.8 dated 07.08.2014, ordering respondent No.7 in effecting entry in the Roznamcha/Revenue record on the basis of FIR No.53 dated 13.11.2004 under Sections 420, 465, 467, 34 IPC at Police Station Thermal Bathinda (Annexure P-5) with regard to Khasra No.446, 452, 451, 441/2/2, 442/1/2 of the land situated within the limits of Village Gill Patti Tehsil and District Bathinda to the effect that till decision is rendered by the Court in aforesaid FIR there shall remain ban in registration of sale deed/mortgage deeds, etc. on the aforesaid Khasra numbers. Further prayer has been made for issuance of a writ in the nature of mandamus ordering the respondents No.1 to 4 especially respondent No.2 to issue appropriate directions/orders to respondents No.5 to 7 in getting deleted Rapat No.56 dated 27.09.2014 (Annexure P-14), having no legal value in the eyes of law and to issue directions

to respondents No.5 to 7 to register sale deeds/transfer deeds/gift deeds/mortgage deeds as per shares of petitioners in favour of any person as per their financial legal necessities and lastly to restrain the respondents No.5 and 8 not to raise any objection on the sale deeds/transfer deeds/gift deeds/mortgage deeds to be presented by the petitioners for registration before respondent No.5 as respondent No.8 has no legal right/title or concern with the same in any manner, especially when he is neither owner nor in possession of an inch of land out of above mentioned Khasra Numbers.

Counsel for the petitioner has submitted that the petitioners have served a legal notice dated 05.10.2023 (Annexure P-18) upon respondents – authorities, however, no action has been taken on the same till date.

Notice of motion.

Ms. Akshita Chauhan, DAG, Punjab who is present in the Court accepts notice on behalf of the respondent – State.

Heard. In view of the above, the present petition is disposed of with a direction to respondent No.2 to decide the legal notice dated 05.10.2023 (Annexure P-18) served by the petitioners by passing a speaking order, in accordance with law within a period of 06 weeks from today.

(RAJESH BHARDWAJ)
JUDGE

06.11.2023

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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No