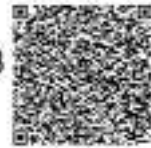


**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

2024.PHHC.101065-DB



(101)

CWP-17167-1995

Decided on : 07.08.2024

Gurdial Singh

.....Petitioner(s)

Versus

The Additional Director, Consolidation of Holdings, Punjab and others

.....Respondent(s)

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA
HON'BLE MRS.JUSTICE MEENAKSHI I. MEHTA**

Present: None for the petitioner.

Mr. Shekhar Verma, Addl. AG, Punjab.

Ms. Harveen Kaur, Advocate for respondent Nos.2 to 13.

G.S. Sandhawalia, J.(Oral)

Challenge in the present writ petition filed under Articles 226/227 of the Constitution of India is to the order dated 26.10.1995 (Annexure P-9) whereby a link of 3x2 karams was provided from the southern side of plot No.96 from the Phirni of the village upto the Lal Lakir by the respondent No.1.

2. While issuing notice of motion on 27.11.1995, status-quo was directed to be maintained, till further orders by noting the contention that passage passes through the house constructed by the petitioner. Thereafter, while admitting the petition on 23.05.1996, status-quo as it existed on that day was directed to be maintained, till further orders.

3. As per the office report, counsel for the petitioner is no longer in practice and, therefore, there has been no appearance on behalf of the petitioner. Matter was listed on 12.09.2022 and resultantly notice was issued to the petitioner on 21.09.2022. The report has been received that the house of the petitioner was found locked and family has shifted out of the country and the petitioner has died as informed by a neighbourer. The responsibility had, thus, been fixed upon the State to find out and to supply the details of the legal heirs of the deceased petitioner. Today, Mr. Verma has submitted that he has got no instructions from the official respondents and a communication has also been sent to the official respondents.

4. Keeping in view the above, we are of the considered opinion that since none has put in appearance on behalf of the petitioner and neither any application has been filed to bring on record the legal heirs of the deceased petitioner, we have no other option, but to dismiss the present writ petition for want of prosecution.

5. Resultantly, the present writ petition is dismissed for want of prosecution. Needless to say that in case the legal heirs of the deceased petitioner still want to pursue the matter at a subsequent point of time and the State is interested in executing the order under challenge, it is open to them to file an appropriate application for revival of the petition.

(G.S. SANDHAWALIA)
JUDGE

(MEENAKSHI I. MEHTA)
JUDGE

07.08.2024
Naveen

Whether speaking/reasoned : Yes
Whether Reportable : No