

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-4962-2024
Date of Decision: 26.04.2024

MOHINDER SINGH @ MAHINDER SINGH ...Petitioner
Versus
STATE OF PUNJAB AND OTHERS ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present:- Mr. Luvraj Dhindsa, Advocate
For the petitioner.

Mr. N.S. Diwana, Sr. DAG, Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. Prayer in the present petition is for directing respondents No.1 to 3 to submit status report regarding unreasonable delay of 05 years in handing over the possession of Kura/Tuk after the issuance of sanad taksim and warrant of possession dated 14.11.2017 (Annexure P-3) to the petitioner as despite making best efforts, the petitioner is not being handed over the separate possession of his Kura/Tuk for the want of AKS Sajra and Field Book, on the basis of which partition took place, even the legal notice dated 10.01.2024 (Annexure P-7) with the prayer to direct respondent No.3- Assistant Collector-I, Tehsil Raikot, District Ludhiana for locating the relevant documents of the partition case titled as Jit Singh Vs. Jarnail Singh and others including AKS Sajra and Field Book, is still pending.
2. This Court directed the State to file a status report and the same has been filed by way of affidavit of Beant Singh Sidhu, Sub Divisional Magistrate,

Raikot, District Ludhiana on behalf of respondents No.1 to 3, which is taken on record. A copy thereof is supplied to learned counsel for the opposite party.

3. Learned State counsel has drawn the attention of this Court to the affidavit filed today and has submitted that the Tehsildar, Raikot has issued warrants of possession vide his office letter no.67 dated 26.03.2024 for delivery of the possession. He further submits in compliance of the warrants of possession, Kanungo Halqa has submitted report dated 18.04.2024 that the wheat crop is standing on the land in question and on account of the same, the possession proceedings could not be carried out. He submits that immediately after the harvesting of the present crop the possession would be delivered to the petitioner.

4. Learned counsel for the petitioner agrees to the submission made by learned State counsel.

5. After hearing learned counsel for the parties, the present petition is disposed of with a direction in case possession is not delivered to the petitioner by 15.05.2024, he would have the liberty to avail his remedy as per law.

(RAJESH BHARDWAJ)
JUDGE

26.04.2024
himanshu

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