

**CM-7508-CWP-2024 in/and
CWP-12413-2023
Date of decision: 07.05.2024**

Ranbir Singh

..... Petitioner

versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Aashish Chopra, Sr. Advocate with
Ms. Nitika Sharma, Advocate
for the petitioner.

Mr. Amit Jain, Sr. Advocate with
Mr. Shobit Phutela, Advocate
for the applicant in CM-7508-CWP-2024.

Mr. P.R. Yadav, Advocate
for respondents No.6, 15, 16, 18 to 24 in CWP-12413-2023.

Ms. Upasana Dhawan, A.A.G., Haryana.

RAJESH BHARDWAJ J.

CM-7508-CWP-2024

Instant application has been filed praying for vacation of status quo order dated 02.06.2023 in respect of the land of petitioner in light of the Settlement Agreement dated 28.04.2024 entered between the petitioners and the applicant/respondent No.28 as also to enable the parties to execute the 'Sale Deed' in respect of agricultural land measuring 07 Kanal and 10 marlas 03 Sarsai, detailed in the application.

Learned Senior counsel for the petitioner has fairly submitted that during the pendency of the present petition, petitioner has settled the

dispute amicably with applicant/respondent No.28 by virtue of the compromise which is placed on record as Annexure A-1. He submits that in view of the same, nothing survives in the present petition and the same may be disposed of as such. Learned Senior counsel further submits that the status quo granted vide order dated 02.06.2023, in the present petition would automatically stand vacated.

Both the learned counsel for the parties have submitted that the right of the other co-sharers would not be affected by virtue of this order.

In view of the submissions made before this Court, prayer made in the application is allowed and the main case is taken up on board today itself.

CWP-12413-2023

Present petition has been filed seeking issuance of a writ in the nature of certiorari for calling the records and quashing order dated 08.05.2023, Annexure P-20, passed by Ld. Financial Commissioner in Revision Petition No.31 of 2022 titled as 'Ranbir Singh and others Vs. Commissioner Gurugram and others'; whereby respondent No.1 has dismissed the revision petition filed by the petitioner under Section 16 of the Haryana Land Revenue Act, 1887, *inter alia*, being illegal, erroneous, arbitrary and against the settled provisions of law. Another prayer has been made for quashing of order dated 12.10.2021, Annexure P-15, passed by the Ld. Commissioner, Gurugram Division, Gurugram vide which the Revision Petition, titled as 'Ranbir Singh and others Vs. M/s JVG Departmental Store Private Limited and others, has been dismissed; order dated 26.07.2018, Annexure P-13, passed by the Collector, Gurugram, vide which the appeal has been dismissed; and all orders/proceedings

passed/carried out by the Assistant Collector 2nd Grade, Manesar on or after 05.08.2014, including order dated 02.07.2015, Annexure P-11, issuing Sanad Takseem order dated 23.04.2015, Annexure P-9, approving ‘Naksha Be’, order dated 04.09.2014, Annexure P-8, approving Mode of Partition, and order dated 07.08.2014, Annexure P-5, issued for carrying out *ex parte* proceedings against the petitioner, in the partition proceedings in respect of land measuring 658 Kanals 14 marlas as detailed in the headnote of the petition, being illegal and arbitrary. Further prayer has been made for directing respondent No.4 to consider and decide the application for partition filed before the Assistant Collector 2nd Grade, Manesar, Gurugram, from inception, after affording an opportunity of hearing to all the parties including the petitioner, who are co-owners/co-sharers in the land for which partition had been sought and direct the respondents to maintain status quo during the pendency of the present petition.

In view of the submissions made by the learned counsel for the parties that nothing survives in the present petition, the same is disposed of as having been rendered infructuous. The parties shall be bound by the terms of the compromise arrived at between them.

(RAJESH BHARDWAJ)
JUDGE

07.05.2024
ps-I

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