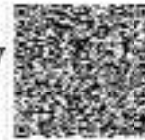


2024:PHHC:118997



228 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP-899-2015

Date of Decision: 10.09.2024

Amir Singh and others

..... Petitioners

Versus

Financial Commissioner (Revenue), Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Nakul Sharma, Advocate
for the petitioner.

Mr. Prabhdeep Singh Bhandari, AAG, Punjab.

Mr. Vinod Sachdeva, Advocate and
Mr. Rahul Arora, Advocate
for respondents No.3 to 8.

HARSH BUNGER J. (ORAL)

The instant writ petition has been filed under Articles 226/227 of the Constitution of India seeking a writ in the nature of Certiorari to set aside impugned order dated 22.10.2013 (Annexure P-5) passed by the learned Financial Commissioner (Revenue), Punjab, whereby the reference received from the learned Commissioner, Ferozepur Division, seeking permission to review order dated 18.08.2009 of his predecessor, passed in relation to mutation No.2719 of Village Tarobari, Tehsil and District Fazilka, was allowed.

2. Learned counsel for respondents No.3 to 8 informs the Court that in pursuance of the permission granted by the learned Financial

Commissioner (Revenue), Punjab, vide impugned order dated 22.10.2013 (Annexure P-5), the learned Commissioner, Ferozepur Division had reviewed the order dated 18.08.2009 and the matter was remitted to the learned Collector, Fazilka for taking fresh decision on the appeal filed by the present petitioners.

2.1 Learned counsel for respondents No.3 to 8 further submits that on remand, learned Collector, Fazilka dismissed the appeal of the petitioners; and thereafter, against the said order, petitioners filed an appeal before the learned Commissioner, Ferozepur, however, the same also stands dismissed. Accordingly, it is submitted that the instant writ petition has become infructuous as the petitioners have already availed all their remedies and lost before the Appellate Authorities.

3. The aforesaid factual position is not disputed by learned counsel for the petitioners.

4. Keeping in view the aforesaid facts and circumstances, once the concerned authorities have proceeded to pass orders consequent to the passing of impugned order dated 22.10.2013 (Annexure P-5) and no grievance was raised by petitioners in that regard, rather petitioners availed their remedy of appeal etc. against such consequential order and even lost therein; in my considered view, nothing survives in the instant writ petition and the same is accordingly, dismissed as having been rendered infructuous.

5. All pending application(s), if any, shall also stand closed.

10.09.2024

Apurva

(HARSH BUNGER)

JUDGE

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No