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

CWP-36165-2018

Date of Decision: March 05, 2024

Harbhajan Singh @ Bhajan Singh

.....Petitioner

Versus

The Assistant Collector Ist Grade, Phillaur, District Jalandhar and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.Rohit Sapehiya, Advocate for
Mr.R.S.Chauhan, Advocate
for the petitioner.

Mr.Navneet Singh, Sr.DAG, Punjab.

Mr.H.S.Jugait, Advocate
for respondent No.2.

.....

RAJESH BHARDWAJ, J.(ORAL)

Prayer in the present petition is for quashing of order dated 07.06.2018, Annexure P-3, vide which respondent No.1, i.e. Assistant Collector Ist Grade, Phillaur, District Jalandhar, has approved the proposed mode of partition without hearing the petitioner and without visiting the spot. It is further prayed to remand the case to respondent No.1 with a direction to him to give an opportunity of hearing to the petitioner before approving the mode of partition.

Counsel for the petitioner fairly submits that petitioner has an alternative remedy of filing an appeal before the Collector, thus, he may be allowed to withdraw this petition with liberty to the petitioner to avail alternative remedy of filing an appeal.

Allowed as prayed for.

Petition is dismissed as withdrawn with liberty aforesaid. In case any appeal is filed by the petitioner before the Collector, the same would be decided by the Collector expeditiously in accordance with law. However, the interim order passed on 19.12.2018 would continue till the decision of the appeal filed by the petitioner.

March 05, 2024
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(RAJESH BHARDWAJ)
JUDGE

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| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/No |