

2024:PHHC:147017-DB



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(112)

CWP-30461-2024
Decided on : 12.11.2024

Jagpal

.....Petitioner(s)

Versus

Deputy Commissioner-cum-Collector, Jind, District Jind & others

.....Respondent(s)

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

Present: Mr.Wazir Singh, Advocate for the petitioner.

Mr.Saurabh Mago, DAG, Haryana.

G.S. Sandhawalia, J.(Oral)

1. The present writ petition, filed under Article 226/227 of the Constitution of India, is directed against the order of the Assistant Collector, First Grade, Safidon dated 09.04.2024 (Annexure P-9) whereby father of the petitioner has been ordered to be evicted. Petitioner, thus, has chosen to file the present writ petition.

2. We are of the considered opinion that the remedy, if any, would lie before the appellate forum firstly and in case the petitioner has any such legal right, as contended, on account of transfer of any property from his father, the same can be stressed in the statutory appeal provided under the Haryana Village Common Land (Regulations) Act, 1961. It is also pertinent to notice that specific averment has been made in para no.10 of the writ petition that there is no alternative remedy of appeal or revision, which is an incorrect statement.

3. Faced with this situation, counsel for the petitioner does not press the present petition and prays for liberty to withdraw the same, to avail his alternative remedy, in accordance with law.
4. We order accordingly.

(G.S. SANDHAWALIA)
JUDGE

12.11.2024
sailesh

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned :	Yes
Whether Reportable :	No