

2024:PHHC:160914



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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP-30964-2024
Date of Decision: 03.12.2024

Surinder Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

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

Mr. Navneet Singh, Sr. DAG, Punjab.

Ms. Gurneet Kaur, Advocate
for respondent No.5.

HARSH BUNGER J. (ORAL)

The present writ petition has been filed under Articles 226/227 of the Constitution of India, *inter alia*, seeking a writ in the nature of *Certiorari* for quashing the order/letter dated 21.11.2023 (Annexure P-7) passed by learned Deputy Commissioner, Fatehgarh Sahib, whereby he had accorded sanction for reviewing the Mutation No.1707 of Village Raiewal, Tehsil Amloh, District Fatehgarh Sahib and further directed to take possession from the petitioner.

Court, learned State counsel submits that as regards the direction contained in impugned order/letter dated 21.11.2023 (Annexure P-7), permitting a review of the Mutation No.1707 is concerned; the same is an appealable order. However, he further clarifies that as regards the direction for taking possession from the petitioner is concerned, the same shall be kept in abeyance as the partition proceedings are pending between the co-sharers. It is stated that any action for taking possession from petitioner shall be carried out in accordance with law.

3. In view of the aforesaid submissions made by learned State counsel, learned counsel for the petitioner submits that he may be permitted to withdraw the instant writ petition with liberty to the petitioner to avail his remedy of appeal against order dated 21.11.2023 (Annexure P-7) passed by learned Deputy Commissioner, Fatehgarh Sahib; whereby the permission for review of the Mutation No.1707 of Village Raiewal, Tehsil Amloh, District Fatehgarh Sahib, was accorded.

4. Keeping in view the aforesaid submissions made by learned counsel for the respective parties, the present writ petition is dismissed as withdrawn with the liberty aforesaid.

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

03.12.2024*Pd***(HARSH BUNGER)
JUDGE**

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No