

**CWP-7325-2023****1****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****(203)****CWP-7325-2023****Date of Decision : January 16, 2025****Partap Singh****.. Petitioner****Versus****Deputy Commissioner and others****.. Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI****Present:** Mr. S.S. Mor, Advocate, for the petitioner.

Mr. Saurabh Girdhar, Assistant Advocate General, Haryana.

Mr. Pawan Kumar Garg, Advocate, for respondent No.3.

Mr. Eshan Garg, Advocate, for respondent No.4.

HARSIMRAN SINGH SETHI J. (ORAL)

1. Learned counsel for the petitioner submits that the transfer of the land was not voluntary but was coercive and with fraud hence, the present writ petition may kindly be disposed of having been not pressed any further with liberty to the petitioner to avail appropriate remedy before the Civil Court qua the fraudulent transfer of the land.

2. Ordered accordingly.

3. Learned counsel for the petitioner submits that though the present writ petition has been withdrawn qua the transfer of the land in the name of respondent No.1 but the petitioner is entitled for the maintenance amount which has already been granted by the Appellate Authority vide order passed on 15.02.2023 (Annexure P-5) to the tune of Rs.5,000/- per month.

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4. Learned counsel for the petitioner further submits that the respondents be directed to deposit the said amount along with arrears.

5. Learned counsel for the respondents submits that the amount awarded by the Appellate Authority i.e. Rs.5,000/- along with arrears and the same will be deposited in the account of the petitioner within a period of four weeks of the receipt of copy of this order.

6. Learned counsel for the respondents further submits that henceforth, by 7th of every month, the said maintenance amount will be deposited in the account of the petitioner without fail.

7. Learned counsel for the petitioner submits that in case of failure of complying with the said undertaking, liberty be given to the petitioner to file appropriate application before this Court so as to pass an appropriate order.

8. Ordered accordingly.

January 16, 2025
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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