

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

2025:PHHC:070655



(124)

**CRM-M-27895-2025
Decided on : 23.05.2025**

Baljit Singh & another

.....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CORAM : HON'BLE MR.JUSTICE SANJAY VASHISTH

Present: Mr.Sunny K.Singla, Advocate for the petitioner (s).

Mr.Neeraj Madaan, Sr.DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

Present petition has been filed under Section 528 of BNSS, seeking quashing of the order dated 06.05.2025 (P-5) passed by learned Sub-Divisional Magistrate, Payal.

2. On 20.05.2025, the following order was passed:

“i) Present petition has been filed under Section 528 of BNSSs, seeking quashing of the order dated 06.05.2025(P-5) passed by learned Sub Divisional Magistrate, Payal.

ii) Learned counsel for the petitioners, *inter alia*, contends that, in the first instance, during the proceedings conducted under Section 164 of the Bharatiya Nyaya Sanhita (BNS) on 17.04.2025 (Annexure P-6), the Sub-Divisional Magistrate, Payal, specifically held that no action was required on the application submitted by the SHO seeking appointment of a receiver, in view of the pendency of proceedings before the Civil Court.

However, after a lapse of 10 days, on 06.05.2025, the matter was reopened pursuant to a fresh complaint, and a new finding was recorded. Subsequently, despite acknowledging the pendency of the civil suit, the Naib Tehsildar, Payal, was appointed as receiver in respect of the disputed land.

The said order is now under challenge before this Hon'ble Court through the instant petition.

iii) Notice of motion for 23.05.2025.

iv) Notice re:stay as well.

v) To be shown in the urgent list.”

3. Learned Senior DAG, Punjab, on being instructed by Shri Gurpreet Singh, Tehsildar, Payal, who is also present in Court, reads out the order dated 20.05.2025 vide which the proceedings against the petitioners have been dropped.

4. Faced with this situation, learned counsel for the petitioners submits that the present petition has been rendered infructuous and prays that the same may be disposed of, as such.

5. Ordered accordingly.

(SANJAY VASHISTH)
JUDGE

May 23, 2025

Sailesh

Whether speaking/reasoned :

Yes/No

Whether Reportable :

Yes/No