



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

211

CWP-5275-2016

Date of decision: January 27, 2024

NIRMAIL KAUR

....Petitioner

Versus

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present:- Mr. Sumeetpal S. Sidhu, Advocate for the petitioner.

Ms. Arundhati Kulshreshtha, AAG, Punjab
For respondents no.1 & 2.Mr. Ajit Singh, Advocate for
Mr. Nitin Kaushal, Advocate for respondent no.3.Mr. Udayveer Singh, Advocate for
Mr. S.P.S Sidhu, Advocate for respondents no. 4 to 7.

KULDEEP TIWARI, J.

1. In the instant petition prayer is made for quashing the impugned order dated 11.02.2015 (annexure P-3) passed by respondent no.3-Local Registrar Births and Deaths, Municipal Council, Zirakpur through which the entry No. 155 with regard to date of death i.e 26th November 2005 in respect of Gurdev Singh son of Kehar Singh was ordered to be cancelled.

2. On perusal of the impugned order, it reflects that the order has been passed on the basis of some inquiry conducted by the authorities concerned and the action has been taken in pursuance of Section 15 of the Registration of Births and Deaths Act, 1969. The State through its reply has placed on record the inquiry report though it is also not in dispute that the inquiry report has never

been challenged before this court. Though counsel for the petitioner made an endeavour to challenge the inquiry reports while referring to some judgment passed by the learned District Judge, however, this issue as raised before this Court is purely a disputed question of fact, which can only be adjudicated before the apt forum, under the apt provisions of law. Certainly this is not the appropriate motion, in fact a misconceived motion which is filed before this court. Therefore the instant petition is **dismissed**. However, liberty is extended to the petitioner in case he still has some grievance left with regard to the order impugned, as well as the inquiry report, he is at liberty to challenge the same by filing apt motion under apt provision of law.

3. **Disposed of accordingly.**

January 27, 2025
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable:	Yes/No