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

CWP-19656-2024 (O&M)
Date of Decision: 22.01.2025

Santa Singh

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. P.P.S. Tung, Advocate
for the petitioner.

HARSH BUNGER, J. (Oral)

The instant Writ Petition has been filed under Articles 226/227 of the Constitution of India *inter alia* seeking issuance of a writ in the nature of Mandamus for directing respondents No.2 and 3 to handover the possession of *kotha*/home to the petitioner, situated in front side of the land of petitioner.

2. Learned counsel for the petitioner *inter alia* submits that earlier the petitioner had filed a writ petition bearing No. CWP-14284-2023 seeking execution of warrant of possession and the said writ petition was disposed of by a Co-ordinate Bench of this Court vide order dated 07.10.2023 (Annexure P-5) in the absence of the petitioner by passing the following order:

“Present writ petition has been filed for directing respondent No.2 to execute the warrants of possession of land measuring 13 Kanal 9 Marla which is illegally possessed by



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respondents No.5 and 6 and further directed respondent No.5 to look into the matter and directing respondent No.3 to execute the warrants of possession in favour of petitioner within a time bound manner.

Mr. Ranjit Singh, Kanungo is present in person in Court today.

Learned State counsel, on instructions from Mr. Ranjit Singh, Kanungo, has submitted before this Court that warrants of possession has already been executed and mutation has been sanctioned on 15.09.2023 and the possession has been delivered to the petitioner, thus, this petition is rendered infructuous and the same may be disposed of as such.

In view of the submissions made by learned State counsel, nothing survives in the present petition and accordingly, the same is disposed of.

The petitioner would be at liberty to avail his remedies, if any cause of action arises, in accordance with law.”

2.1 It is contended that in fact, a wrong statement was made that the possession was delivered to the petitioner, however, no such possession has been delivered till date.

2.2 Learned counsel for the petitioner prays that he may be permitted to withdraw the instant writ petition with liberty to seek revival of writ petition bearing No. CWP-14284-2023.

3. In view of the above, the present petition is dismissed as withdrawn with the liberty aforesaid.

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

22.01.2025

Himani

(HARSH BUNGER)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No