

CWP-34196-2025 (O&M) &
CWP-6784-2026 (O&M)

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

Date of decision:07.05.2026

124) CWP-34196-2025 (O&M)

2026-PHHC-071871



Sukhwant Kaur

.....Petitioner

Versus

Financial Commissioner (Appeals) Punjab and others

.....Respondents

136) CWP-6784-2026 (O&M)

2026-PHHC-072074



Sukhwant Kaur

.....Petitioner

Versus

Financial Commissioner (Appeals) Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Munish Gupta, Advocate, for the petitioner.

Mr. Sherry K. Singla, Advocate for respondent No.6.

HARSH BUNGER J. (ORAL)

This order shall dispose of two writ petitions, i.e.,
CWP-34196-2025 and CWP-6784-2026; as they involve common issues of
law and fact.

2. Prayer in both the writ petitions filed under Article 226 of the
Constitution of India is for issuance of a writ in the nature of Certiorari for
setting aside the order dated 12.03.2010 (Annexure P-3); order dated
13.04.2011 (Annexure P-4); order dated 20.09.2011 (Annexure P-5); order

dated 31.03.2025 (Annexure P-6) and the order dated 21.08.2025 (Annexure P-11).

3. The aforesaid orders have been passed in relation to Mutation Nos.2466 and 2483 of village Rauni, Tehsil and District Patiala.

4. During the course of hearing, it is undisputed by learned counsel appearing for the respective parties that the learned Civil Judge (Junior Division), Patiala, had passed the judgment and decree dated 17.01.2019 (Annexure P-8), wherein the following relief was granted: -

“29. In view of my aforesaid discussion made herein above on the above said issues, the suit of the plaintiff is hereby decreed with cost to the effect that Collector District Patiala is directed to implement by way of mutation the judgment and decree dated 28.02.1969 defendant No.1 is restrained from alienating mortgaging and transferring in any manner and dispossessing the plaintiff from the land comprising khewat No.73, Khatouni No.98, khasra No.131(6-5), 132 (6-5), 1027/133 (5-0), 1026/130(6-0), Khatuni No.97, Khasra No.1020/101 (1-10) situated at village Rauni Tehsil & District Patiala as per jamabandi for the year 2007-2008. Decree sheet be prepared accordingly. Ahlmad is directed to separate the un-exhibited documents from the file. Un-disbursed diet money/process fee is also directed to be refunded to the concerned party.”

5. It is further not disputed that till date the petitioner has not sought execution of the aforesaid judgment and decree dated 17.01.2019 (Annexure P-8) before the Court of competent jurisdiction.

6. Faced with the situation, learned counsel for the petitioner submits that he may be permitted to withdraw both these petitions as they emanate out of mutation proceedings (which as per the settled law, would

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neither confer nor take away the title to any property), so as to enable the petitioner to seek execution of the judgment and decree dated 17.01.2019 (Annexure P-8), in accordance with law.

7. Ordered accordingly.

8. It is clarified here that in case any such petition is filed for seeking execution of the said judgment and decree dated 17.01.2019 (Annexure P-8), the same shall be considered by the concerned/competent Court on its own merits, without being influenced by anything observed by the revenue authorities in the mutation proceedings.

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

10. Photocopy of this order be placed on the connected case file.

07.05.2026
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(HARSH BUNGER)
JUDGE

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