



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-14222-2024
Date of decision : 31.05.2024

Amarjeet Singh

.....Petitioner

versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Vinay Puri, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

Prayer in the present petition is for setting aside/quashing the order dated 09.02.2023 (Annexure P-6) passed by Ld. Tehsildar-cum-Assistant Collector First Grade, Rupnagar wherein Mode of Partition has been illegally and wrongly approved in an ex-parte proceedings and all subsequent proceedings arising therefrom as the Revenue Courts exceeds its jurisdiction to adjudicate or approve upon the mode of partition in the absence of the most of the parties which includes petitioner who is the affected party because without affording any opportunity to defend his case, the ex-parte order dated 09.02.2023 has been passed which is totally against the provisions of law and against the principles of natural justice. The case in which the impugned order dated 09.03.2024 was passed remained pending sine die since 17.10.2020. Further prayer has been made for staying the operation of the impugned order dated 09.02.2023 (Annexure P-6).

After arguing for some time, learned counsel for the petitioner fairly prays for withdrawal of the present petition with liberty to

CWP-14222-2024

2024:PHHC:079152



the petitioner to avail his alternative remedy by filing a petition before the concerned authorities in accordance with law.

Allowed as prayed for.

Dismissed as withdrawn with liberty aforesaid. If the petitioner files any such petition as per the mandate, the same would be dealt with by the authorities concerned in accordance with law.

(RAJESH BHARDWAJ)

JUDGE

31.05.2024

ps-I