

2025:PHHC:086358-DB



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

**CM-247-LPA-2025 in/and
LPA-110-2025
Date of Decision: July 16, 2025**

**RAWAT SINGH PILANIA THROUGH HIS GENERAL POWER OF
ATTORNEY Appellant**

Versus

STATE OF HARYANA AND OTHERS Respondents

**CORAM:- HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**

Present: Mr. J.S. Bhatia, Advocate for the appellant.

LISA GILL, J.

CM-247-LPA-2025

Heard.

For the reasons mentioned in application as well as arguments addressed, delay of 137 days in filing the appeal is condoned.

Application is, accordingly, disposed of.

LPA-110-2025

1. Prayer in this appeal is for setting aside order dated 12.07.2024 whereby order dated 22.03.2023 passed in CWP-5982-2023 was recalled and writ petition dismissed.
2. Present appellant had filed CWP-5982-2023 seeking a direction to respondent No. 5 to decide partition proceedings pending before it in a time bound manner. Vide order dated 22.03.2023, CWP-5982-2023 filed by

present appellant was disposed of with a direction to respondent No. 5 to decide partition case filed by present appellant as expeditiously as possible and preferably within nine months from the date of receipt of certified copy of the said order.

3. Application for recall of order dated 22.03.2023 was filed by respondents No. 6 and 7 in the writ petition and respondents No. 7 and 8 in the present appeal with averments that complete facts were not placed before learned writ Court. It is noted by learned Single Bench that question of title was arising in the matter and same was pending adjudication in RSA-572-2014 in which present appellant was arrayed as one of the appellants. It is in the wake of this factual matrix that order dated 22.03.2023 was recalled and writ petition was dismissed with liberty to parties to pursue their remedies in accordance with law without any expression of opinion on the merits of the case.

4. Learned counsel for appellant submits that General Power of Attorney of appellant had in fact been misused and separation of shares in any case can be proceeded with. Appropriate application has already been filed by appellant in RSA-572-2014.

5. Having heard learned counsel for appellant, we do not find any ground for setting aside order dated 12.07.2024. Even if it be presumed that GPA of appellant has been misused, it would not be appropriate to direct respondent No. 5 to decide partition proceedings pending before it as had been done vide order dated 22.03.2023. Order was correctly recalled by learned Single Bench on 12.07.2024.

6. Appeal is, accordingly, dismissed. We note that liberty has already been afforded to the parties including the appellant to pursue remedy(ies) available to him in accordance with law.

**(LISA GILL)
JUDGE**

**(MEENAKSHI I. MEHTA)
JUDGE**

**July 16, 2025
Rts**

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