

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

CWP No.13122 of 2015

Date of Decision:-20.07.2015

Fakiria Ram @ Fakir Chand.

.....Petitioner.

Versus

Financial Commissioner Appeal Punjab & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. A.P. Kaushal, Advocate for the Petitioner.

Mr. R.S. Chauhan, Advocate for Caveator/respondent no.5.

JASWANT SINGH, J.(ORAL)

The petitioner was one of the co-sharers of the joint land in dispute, which was sought to be partitioned at the instance of his co-sharer-brother Piara Dass. The petitioner and his other co-sharers-brothers including the brother Salag Ram were impleaded as respondents. The Naksha 'A' was finalised vide order dated 12.09.2008. The other brother Salag Ram had unsuccessfully filed an appeal and subsequent revisions against the finalisation of Naksha 'A'. It is also apparent that the present petitioner never challenged the finalisation of Naksha 'A' detailing the shares and possession of the co-sharers. It is also conceded that the partition proceedings between the co-sharer/brothers stands completed and *Sanad Takseem* issued on 03.11.2008 and now are at the stage of execution of the warrants of possession.

The present writ petition has been filed challenging the finalisation of Naksha 'A' by the petitioner on the ground that his son Lakhwinder Singh had filed a suit for declaration qua the ownership and share of Salag Ram in the light of a alleged fraudulent sale deed executed by the present petition/father of Lakhwinder Singh in favour of Salag Ram.

After arguing for sometime and having failed to convince the Court on merits and further anticipating imposition of heavy costs, prays for permission to withdraw the present writ petition.

Dismissed as withdrawn.

(JASWANT SINGH)
JUDGE

July 20, 2015
Vinay