

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

C.W.P.No 165 of 2014

Date of Decision: January 09, 2015

Karam Singh and others.

....Petitioners

Versus

Commissioner, Faridkot Division and others.

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJAN GUPTA

Present: Ms.Rupinder Kaur Manaise, Advocate
for the petitioners.

Mr.Yatinder Sharma, Addl.A.G.,Pb.

Rajan Gupta, J (Oral)

Petitioners are aggrieved by order Annexure P/5 passed by
Commissioner, Faridkot Division. Operative part whereof reads as under:-

“I have considered the argument advanced by the learned counsel for the parties and have also gone through the record. From the perusal of record, it stands abundantly clear that neither the petitioner, nor his counsel ever appeared before Assistant Collector Ist Grade. It also stands proved that the family settlement as alleged by the petitioner was not got incorporated in the revenue record and as such the same cannot be taken into consideration. In these circumstances, there appears to be no illegality or irregularity in the concurrent findings arrived at by both the lower court and accordingly, this revision petition is dismissed being without any merit.

Records of the lower courts be returned and file of this court be consigned to the record room.”

Petitioners have assailed the order on the ground that at no

stage any opportunity of hearing was granted to the petitioners. A perusal of record, however, shows that despite notice neither petitioners nor their counsel ever appeared before Assistant Collector Ist Grade. Reliance on family settlement stated to have been entered between the parties is misplaced. It is evident that same was not incorporated in the revenue record. I find no ground to interfere in concurrent findings of the revenue courts. Petition is without any merit and is hereby dismissed.

(Rajan Gupta)
Judge

January 09, 2015
BB