

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.20 of 2015
Date of Decision.06.01.2015

Sunita and anotherPetitioners

Versus

Financial Commissioner, Haryana and othersRespondents

Present: Mr. B.R. Vohra, Advocate
for the petitioners.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers may be allowed to see the judgment ? No
2. To be referred to the Reporters or not ? No
3. Whether the judgment should be reported in the Digest? No

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K. KANNAN J. (ORAL)

1. There is no wrong about the order passed by the Appellate Authority in partition proceedings that found that the appeal was being presented five years after the order was passed and it was barred by limitation. The Appellate Authority also found that the petitioners had been represented through counsel and it rejected the plea that the counsel was acting without any instructions on their behalf. The Appellate Authority, therefore, observed that, if at all, the petitioners could have an appropriate remedy against the counsel who was acting against their interest and without instructions in Court through a complaint.

2. It is not possible in a writ jurisdiction to decide whether the counsel had instructions to represent the petitioners or not. There is nothing wrong about the order which was passed by the Appellate Authority that it was barred by limitation and it was not competent by

him to reopen the matter which was presented five years after the period of limitation. I will find nothing for interference in the writ petition.

3. The writ petition is dismissed.

(K. KANNAN)
JUDGE

January 06, 2015
Pankaj*