

In the High Court of Punjab and Haryana at Chandigarh.

**CWP No. 21384 of 2014
Decided on 15.10.2015**

Bhagwan Dass

--Petitioner

Vs.

The Financial Commissioner., Revenue, Punjab and others

-- Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr.Peeyush Gagneja,Advocate, for the petitioner

Mr.V. Ramswaroop, Addl.A.G, Punjab

Mr.R.S.Chauhan,Advocate, for respondent Nos.3 and 4

Rakesh Kumar Jain,J: (Oral)

The present petition is filed against the order dated 29.4.2014 passed by the Financial Commissioner, dismissing the revision petition filed by the petitioner on the ground of delay of 659 days in approaching the Court. According to learned counsel for the petitioner, delay has been caused because earlier the powers of revision were withdrawn from the Financial Commissioner but later on, the same were restored and as soon as the petitioner came to know about it, revision petition was filed.

On the other hand, learned counsel for the respondents has submitted that the petitioner has not approached this Court or the Court of

Financial Commissioner with clean hands as he had challenged the order

dated 19.9.2011 passed by the A.C.Ist Grade, Fazilka, who had accepted the application for partition by way of appeal before Collector. The said appeal was also dismissed for non-prosecution on 09.7.2012. The said appeal was never sought to be restored and has attained finality.

Thereafter, the petitioner challenged the order dated 06.2.2012 by way of a revision filed under Section 16 of the Punjab Land Revenue Act, 1887, wherein the A.C Ist Grade, Fazilka, passed the order in regard to 'Sanad Takseem'. This revision was dismissed by the Commissioner, Ferozepur Division, Ferozepur on 14.11.2013 and that order was also never challenged before any other Court.

Ultimately, the petitioner challenged the order dated 06.2.2012 by way of a revision before the Financial Commissioner which was dismissed on the ground of delay.

I have heard learned counsel for the parties and after examining the record, am of the considered opinion that the petitioner is guilty of '*suppresso veri and suggesto falsi*'. Therefore, I am not inclined to exercise my jurisdiction to condone the delay of 659 days in filing the revision petition.

Dismissed.

15.10.2015
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(Rakesh Kumar Jain)
Judge