

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

Civil Writ Petition No.25834 of 2014

Date of Decision: 25.05.2015

Amanpreet Kaur and another

..... Petitioners

Vs.

Financial Commissioner, Revenue, Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. J.K.Singla, Advocate for the petitioners.

Mr. Yatinder Sharma, Addl. A.G., Punjab for respondent Nos.1 to 4.

JASWANT SINGH, J. (ORAL)

The petitioners who are the legal heirs of co-sharer Amrik Singh by filing the present writ petition, have challenged the order dated 02.09.2014 (**Annexure P-9**), passed by the Financial Commissioner (Revenue), Punjab whereby the seven revision petitions filed before him with regard to partition proceedings have been dismissed in *limni* as not being maintainable.

Learned Counsel for the petitioners has submitted that the Financial Commissioner has totally erred in not entertaining the revision petition under Section 16 of the Punjab Land Revenue Act, 1887 on the ground of non-maintainability by totally ignoring the impact of amendment notified on 28.01.2013 whereby revisional jurisdiction has been specifically vested with the Financial Commissioner (Revenue) in such matters. In view of the aforesaid contention and the accepted fact that after the amendment effected on 28.01.2013 under Section 16 of the Punjab Land Revenue Act, 1887, the jurisdiction in fact vest with the Financial Commissioner, therefore, the impugned order dated

02.09.2014 (**P-9**) relating to the petitioners is set aside and the matter is remanded back to the Financial Commissioner to decide the revision petition on merits by reviving the one filed earlier.

The petitioners are directed to appear before the Financial Commissioner (Revenue), Punjab on 15.07.2015.

Disposed of in the above terms.

May 25, 2015
Gagan

(JASWANT SINGH)
JUDGE