

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

**C.W.P. No. 25866 of 2014
Date of Decision: January 22, 2015**

Amanpreet Kaur and another

... Petitioners

Versus

Financial Commissioner, Revenue, Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

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

Paramjeet Singh, J. (Oral)

Instant writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing of order dated 02.09.2014 (Annexure P/9) passed by respondent no.1 – Financial Commissioner (Revenue) Punjab, whereby revision petition filed by the petitioners has been dismissed on the technical ground of maintainability.

Learned counsel for the petitioners contends that the Financial Commissioner has erred in not entertaining the revision petition under Section 16 of the Punjab Land Revenue Act, 1887 on the ground that he did not have the jurisdiction to hear and decide the revision petition after 28.01.2013 i.e. amendment of Section 16 of the Punjab Land Revenue Act.

However, the impugned order has been passed while dismissing the revision petition on the ground of lack of jurisdiction (Annexure P/9).

After hearing learned counsel for the petitioners and keeping in view the facts of the case, this Court is of the considered opinion that on the date when the Financial Commissioner has dismissed the revision petition, he was competent to hear and decide the revision petition and should not have dismissed the revision petition on the ground that he was having no jurisdiction after 28.01.2013.

In view of the above, impugned order dated 02.09.2014 (Annexure P/9) is set aside and the matter is remanded back to the Financial Commissioner to decide the revision petition on merits.

The petitioners are directed to appear before the Financial Commissioner on 16.02.2015.

In the above terms, instant writ petition is disposed of.

January 22, 2015
vkd

[Paramjeet Singh]
Judge