

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Letters Patent Appeal No.1045 of 2015 (O&M)

Date of Decision: July 16, 2015

Ram Kumar

.....Appellant

versus

The State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE P.B.BAJANTHRI.

Present: Mr.Shalender Mohan, Advocate, for the appellant.

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1. *Whether Reporters of Local papers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Surya Kant, J. (Oral)

This letters patent appeal assails the order dated 02.03.2015 whereby learned Single Judge has declined to interfere with the orders passed by Revenue Authorities in partition proceedings.

The appellant and private-respondent are closely related and belong to same family. The mode of partition recognized the possession of respective share-holders as one of the relevant factor. Based thereupon, the parties agreed that the land may be divided into two parts.

Learned Single Judge has observed that the Revenue Authorities had to disturb the possession of appellant over two khasra numbers for carving out a separate unit of Dhoop Singh, failing which the agreed principle, namely, that entire land-holding be divided into two parts, could not be

adhered to. In these circumstances, the minor disturbance, even if inconvenient to the appellant would not call for any interference as the Authorities have avoided the fragmentation of land holding.

Dismissed.

[SURYA KANT]
JUDGE

July 16, 2015
mohinder

[P.B.BAJANTHRI]
JUDGE

CM No.2169 & 2170 of 2015 in
LPA No.1045 of 2015

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Ram Kumar vs. State of Haryana and others

Present : Mr. Shalender Mohan, Advocate,
for the applicant-appellant.

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Since the main appeal has been decided on merits, no separate order is required to be passed on these applications for condonation of delay in filing and re-filing the appeal.

(SURYA KANT)
JUDGE

July 16, 2015
mohinder

(P.B.BAJANTHRI)
JUDGE