

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

C.R. No.7789 of 2016

Date of Decision.18.11.2016

Darshan Singh and another

.....Petitioners

Vs

Deputy Commissioner and another

.....Respondents

Present: Mr. Sanjeev Sharma, Advocate
for the petitioners.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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AMIT RAWAL J. (ORAL)

The petitioner is aggrieved of the non-decision of the partition proceedings despite the fact that the matter reached this Court in CWP No.7556 of 1988 whereby the orders of the authorities constituted under the Punjab Land Revenue Act were assailed.

Mr. Sanjeev Sharma, learned counsel appearing for the petitioner submits that the aforementioned writ petition was decided by this Court on 08.07.2013 whereby this Court set aside the order under challenge, restoring the order of the Assistant Collector and Collector and observed that the partition will be effected in the manner directed and further process will be undertaken by the authorities constituted under the Act in accordance with law.

He further submits that proceedings for finalization of the partition despite order of this Court is still pending from three years. It is in this background of the matter, the aforementioned application has been moved. Even an application for compliance of the order of the Court was moved way back in the year November 2014 vide Annexure P-2 and the matter is hanging fire in this regard. He has also drawn attention of this

Court to office communication between the Commissioner to Deputy Commissioner, Kurukshetra regarding the subject that it is not yielding any result.

I have heard learned counsel for the petitioner, appraised the paper book and of the view that decision of the writ petition and setting aside of the order under challenge for restoring back of the order of Assistant Collector/Collector is not in dispute. The consequential effect of the same has to result into passing of the final partition order and issuance of *sanad takshim* and the case of the petitioner is hanging fire since long before Assistant Collector 1st Grade.

Accordingly, the revision petition is disposed of with direction to respondent No.2 to decide the application for partition proceedings as expeditiously as possible and preferably within a period of six month from the date of receipt of copy of this order.

(AMIT RAWAL)
JUDGE

November 18, 2016

Pankaj*

Whether speaking/reasoned Yes

Whether reportable No