

**In the High Court of Punjab and Haryana at Chandigarh**

**C.W.P. No. 18038 of 2013 (O&M)**

**Date of Decision: May 10, 2016**

*Bhim Sain*

*... Petitioner*

*Versus*

*Financial Commissioner, Revenue, Punjab and others*

*... Respondents*

**CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH  
DHALIWAL**

Present: Mr. C.M. Munjal, Advocate,  
for the petitioner.

Mr. S.S. Chandumajra, Addl. A.G., Punjab.

Mr. R.K. Kakkar, Advocate,  
for respondent No.5.

**Paramjeet Singh Dhaliwal, J. (Oral)**

**CM-5511-CWP-2016**

Civil Misc. application is allowed subject to all just exceptions.

Annexures P/10 and P/11 are taken on record.

**CM-5518-CWP-2016**

Civil Misc. application is allowed subject to all just exceptions.

Annexures R/6 to R/8 are taken on record.

**CWP No. 18038 of 2013**

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 quashing the order dated 16.03.2010 (Annexure P/3) passed by respondent No.3 – Collector (Additional Deputy Commissioner), Ferozepur, order dated 04.11.2010 (Annexure P/4) passed by respondent no.2 –

Commissioner, Ferozepur Division, Ferozepur and order dated 25.09.2012 (Annexure P/5) passed by respondent No.1 – Financial Commissioner, Revenue, Punjab.

The only issue is with regard to the calculations of the total land.

Learned counsel for the petitioner submits that the total land was 27 kanals 17 marlas comprising of Rectangle No. 70, Killa No. 17/3(2-0), 16/1/1(2-0), 15/1 (6-2), 16/1/2 (4-0), 16/2 (2-0), 23 (4-10), 23/2 (0-13), 24/1 (6-12), situated in the revenue estate of Village Panje Ke Uttar, Tehsil Jallalabad, District Fazilka.

On the other hand, learned counsel for respondent no.5 submits that Khewat No. 515, Khatoni No. 1338 as mentioned in jamabandi for the year 2000-01 (Annexure R/6) has not been included.

With the consent of the parties, orders dated 16.03.2010 (Annexure P/3), 04.11.2010 (Annexure P/4) and 25.09.2012 (Annexure P/5) are set aside. The matter is remitted to the Assistant Collector Ist Grade, Jallalabad for fresh decision after hearing the relevant parties. The parties will be at liberty to produce all the relevant documents to prove their respective case before the Assistant Collector Ist Grade. The parties through their counsel are directed to appear before the Assistant Collector Ist Grade, Jallalabad on 30.05.2016.

Disposed of in above terms.

**May 10, 2016**  
vkd

**[Paramjeet Singh Dhaliwal]**  
**Judge**