

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.14156 of 2016
Date of decision: 23.08.2016

Shiv Narayan

... Petitioner

Vs.

The Commissioner, Gurgaon Division and others

... Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Pankaj Jain, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK, J. (ORAL)

Instant writ petition is directed against the order dated 30.03.2016 (Annexure P-9) passed by the Financial Commissioner, Haryana, whereby revision petition filed by the petitioner against the order dated 10.05.2012 (Annexure P-8) passed by the Commissioner, Gurgaon Division, Gurgaon was dismissed, upholding the remand order passed by the Commissioner, directing the Assistant Collector 1st Grade to proceed further with the partition proceedings.

Heard learned counsel for the petitioner.

A bare reading of the impugned orders passed by the Commissioner as well as Financial Commissioner would show that none of the orders suffers from any patent illegality or perversity. Each and every relevant aspect of the matter has been rightly discussed and considered by the Commissioner in detail, while passing his impugned order dated 10.05.2012 (Annexure P-8). Financial Commissioner reconsidered the matter and rightly upheld the order passed by the

Commissioner. Since both these orders have been found to have been passed strictly in accordance with law, the same deserve to be upheld.

During the course of hearing, learned counsel for the petitioner failed to substantiate any of his arguments. The only apprehension raised by him that the Assistant Collector 1st Grade may not consider the statement dated 27.08.2007 recorded vide Annexure P-5, has been found wholly misplaced. Further, learned counsel for the petitioner also could not point out any patent illegality or perversity in either of the impugned orders, which may warrant interference at the hands of this Court, while exercising its writ jurisdiction under Article 226/227 of the Constitution of India.

No other argument was raised.

Considering the peculiar facts and circumstances of the case noted above, coupled with the reasons aforementioned, this Court is of the considered view that the present writ petition is wholly misconceived, bereft of merit and without any substance, thus, it must fail. No case for interference has been made out.

Resultantly, with the abovesaid observations made, instant writ petition stands dismissed, however, with no order as to costs.

[RAMESHWAR SINGH MALIK]
JUDGE

23.08.2016
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Whether speaking/reasoned Yes/No

Whether reportable Yes/No