

CWP-15458-2015

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

CWP-15458-2015

Date of Decision: 29.03.2016

Ram Chander and others

... Petitioner(s)

Versus

Financial Commissioner (Revenue), Haryana and others

... Respondent(s)

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

- 1) Whether Reporters of the 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 ?

Present: Mr. G.S.Jaswal, Advocate,
for the petitioners.

Mr. Gaurav Dhir, DAG, Haryana.

Mr. Rajinder Goyal, Advocate,
for respondent Nos.3 to 5.

Paramjeet Singh Dhaliwal, 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 the order dated 21.09.2004 (Annexure P-2) whereby partition proceedings have been adjourned *sine die*.

I have heard learned counsel for the parties and perused the record.

The impugned order has been passed in ROR No.263 of 1999-

CWP-15458-2015

2000 with the observations that the litigation pending in this Court has a direct bearing on question of title between the parties. Moreover, the petitioners are stepping into the shoes of vendor on the basis of sale deed dated 05.06.2009. The petitioners being the subsequent purchasers have no right in land in question. It is pertinent to mention here that RSA No.895 of 1988 is pending before this Court in which question of title is yet to be determined. The impugned order has been rightly passed by respondent No.1 as partition proceedings cannot be carried out till question of title is decided.

In view of above discussion, I do not find any illegality or perversity in the impugned order.

Dismissed.

29.03.2016
parveen kumar

(Paramjeet Singh Dhaliwal)
Judge