

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

CWP No.17666 of 2016
Date of Decision : 30.8.2016

Maninder Singh

.....Petitioner

Vs.

Financial Commissioner,Punjab and others

.....Respondents

...

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

...

Present : Mr. Vikas Mehsempuri, Advocate for the petitioner.

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RAMESHWAR SINGH MALIK, J

Present writ petition is directed against the impugned order dated 8.2.2016 (Annexure P-11) passed by the Financial Commissioner, Punjab, leaving it open to the petitioner to approach the civil court, so as to pursue his appropriate remedy, in accordance with law.

Heard learned counsel for the petitioner.

It is a matter of record that petitioner purchased the land in the year 2012. Despite knowing fully well that there was no path touching the land, which was sought to be purchased by the petitioner, he purchased it. Thereafter, petitioner moved the application for correction in the revenue record and partition of the land, making the jamabandi for the year 1971-72 as the basis for partition. The Financial Commissioner has rightly passed the impugned order, saying that in such a situation, revenue authorities would have no jurisdiction to correct such an old record. He has further rightly observed that only the civil court would have the jurisdiction to do

the needful, if any. Having said that, this court feels no hesitation to conclude that since the impugned order does not suffer from any patent illegality or perversity, the same deserves to be upheld.

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 since the impugned order passed by the Financial Commissioner is based on true facts and circumstances of the case as well as it has been passed strictly in accordance with law, it deserves to be upheld. The 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 above said observations made, the present writ petition stands dismissed, however, with no order as to costs.

30.8.2016
GS

(RAMESHWAR SINGH MALIK)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No