

In the High Court of Punjab and Haryana at Chandigarh

C.W.P. No. 3830 of 2016 (O&M)

Date of Decision: June 02, 2016

Dhian Singh

.. Petitioner

Versus

Financial Commissioner, Haryana and others

... Respondents

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

Present: Mr. Mansur Ali, Advocate,
for the petitioner.

Mr. Sandeep S. Mann, DAG, Haryana.

Mr. Vikram Singh, Advocate,
for respondents No. 3 to 9.

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 quashing the impugned order dated 18.01.2016 (Annexure P/8) passed by respondent No.1 – Financial Commissioner.

On the last date of hearing i.e. on 24.05.2016, learned counsel for respondents no.3 to 9 made an offer that petitioner can take his share at any place in both the taks.

Said offer does not appear to be acceptable to the petitioner. The only reason for this can be the motive to unnecessarily delay the partition proceedings. Earlier the petitioner had made an attempt to seek the partition in *ex parte* manner which has been rightly set aside by the Financial Commissioner by holding that valid service was not effected upon

the respondents.

At this stage, learned counsel for the petitioner states that he may be permitted to withdraw the instant writ petition.

Dismissed as withdrawn. However, the Assistant Collector First Grade shall ensure that similar offer be given to the petitioner and only thereafter proceed further to decide the partition application. Needful shall be done within a period of six months. The other revenue authorities are directed that they should also take into consideration the aforesaid offer while deciding the appeal, revision etc. as and when they are approached.

June 02, 2016
vkd

[Paramjeet Singh Dhaliwal]
Judge