

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

CWP No. 4094 of 2016
Date of decision: 19.05.2016

Mohinder Singh

....Petitioner

Versus

Commissioner, Faridkot Division, Faridkot and others

....Respondents

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

Present: Mr. I.S. Brar, Advocate for the petitioner

Paramjeet Singh Dhaliwal, J. (Oral)

Instant 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 order dated 28.10.2015 (Annexure P-6) passed by respondent No. 1- Commissioner, Faridkot Division, Faridkot, order dated 30.10.2012 (Annexure P-4) passed by respondent No. 2- Collector and order dated 14.11.2011 (Annexure P-2) passed by respondent No.3- Assistant Collector Ist Grade, whereby the proposed mode of partition was passed.

I have heard learned counsel for the petitioner and perused the paper-book.

It has been specifically mentioned in the mode of partition that the petitioner has sold land vide two sale deeds dated 26.10.1998 and 02.05.2002. While selling the land, the petitioner has specifically provided 3 karam wide passage and khal to the vendees. For that reason it has been specifically mentioned that cut be made out of the land of the petitioner. Otherwise also no objections were

filed to the proposed mode of partition. As such, the same was approved by the Assistant Collector 1st Grade vide impugned order dated 14.11.2011 (Annexure P-2). The petitioner preferred an appeal against the order dated 14.11.2011 (Annexure P-2) passed by Assistant Collector 1st Grade and revision against the order dated 30.10.2012 (Annexure P-4), passed by the Collector the same were dismissed by both the Collector and the Commissioner, respectively.

I view of above, I do not find any illegality or perversity in the orders. Once the petitioner has not filed any objection to the mode of partition he is deemed to have accepted the same.

Dismissed.

No order as to costs.

19.05.2016
PA

(Paramjeet Singh Dhaliwal)
Judge