

Sr.No.260

IN THE HIGH COURT OF PUNJAB AND HARYANA CHANDIGARH

CWP-5762-2015(O&M)

Decided on: 16.02.2016

Jaswant KaurPetitioner

vs.

State of Punjab and othersRespondents

Coram: Hon'ble Mr. Justice Mahesh Grover

Present: Mr.R.S.Athwal , Advocate for the petitioner.
Mr. Anant Kataria, DAG, Punjab.
Mr. Sandeep Jain, Advocate for respondent no.5.

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Mahesh Grover, J

The only dispute raised in the petition is that impugned order dated 05.01.2015 is beyond jurisdiction in view of amended provisions of Section 118 of the Punjab Land Revenue Act, 1887 wherein no appeal lies to any authority. The SDM cum Collector Nawanshahar proceeded to set aside the mode of partition upon such an appeal being preferred.

Since the order is clearly without jurisdiction which fact has been conceded before this Court, I would deem it appropriate to set aside the impugned order being beyond jurisdiction and accept the petition which is disposed of with liberty to the respondent no.5 to take remedies in accordance with law in the event of his dissatisfaction against the order of partition.

16.02.2016

mamta

(MAHESH GROVER)

JUDGE