

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

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C.W.P No. 14551 of 2010 (O&M)

Date of Decision:- 30.10.2017

Sardul Singh & Ors.

....Petitioners

Versus

Financial Commissioner Revenue & Ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present: Mr. Chetan Mittal, Sr. Advocate, with
Mr. Mayank Aggarwal, Advocate, for the petitioners.

Ms. Sunint Kaur, AAG, Punjab.

Mr. Rajiv Kataria, Advocate, for respondent Nos. 5, 6 and 11.

RAKESH KUMAR JAIN, J. (Oral)

Learned counsel for the parties, after arguing in detail, have agreed that the impugned order passed by the Financial Commissioner dated 25.08.2009 may be set aside and the matter be remitted back to him to decide it in the letter and spirit of the order passed in C.W.P No. 19448 of 2007 on 03.10.2008.

Accordingly, order dated 25.08.2009 is set aside and the matter is remitted back to Financial Commissioner (Revenue) Punjab to decide the lis between the parties, after taking all aspects of the matter into consideration including as to whether there has been a family partition as alleged by the respondents because they are basically harping upon the same, whereas according to the petitioner this issue has been decided long back and whether the land in question has been rightly distributed to the shareholders according to its value.

With the above observations, the appeal is allowed and the parties are directed to appear before the Financial Commissioner (Revenue) Punjab, on 27.11.2017

October 30, 2017
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(RAKESH KUMAR JAIN)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable: Yes/No