

CWP No.11260 of 2017 (O&M)

[1]

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

**CWP No.11260 of 2017 (O&M)
Date of decision:28.09.2017**

Munshi Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. KBS Mann, Advocate,
for the petitioner.

Rakesh Kumar Jain, J.

The predecessor-in-interest of respondent nos.10(i) to (iii), namely, Sham Singh filed an application for partition on 16.05.2011 in respect of the land measuring 103 kanal 17 marla, situated in the revenue estate of village Katar Singh Wala, Tehsil and District Bathinda. After *Naksha Alaf* was approved, the *Naksha Bey* was also approved by the Assistant Collector 1st Grade and, thereafter, the objection was filed by the petitioner that the *Naksha Alaf* has wrongly been prepared as the land measuring 01 kanal 19 marla has been subtracted from the share of the petitioner, whereas it should have been taken out from the share of Harjinder Singh and Gurmit Singh as they had already sold the land measuring 01 kanal 19 marla. The said objection was dismissed by the Assistant Collector 1st Grade, Bathinda on 24.07.2012 on the ground that since *Naksha Alaf* was approved/accepted by the parties on 12.04.2012 and, thereafter, *Naksha Bey* was also approved/accepted on 25.06.2012,

therefore, the objection of the petitioner cannot entertained at this stage. The said order of the Assistant Collector 1st Grade was challenged by the petitioner before the Collector but the appeal of the petitioners was dismissed on 17.07.2013 and the revision filed by them before the Divisional Commissioner was dismissed on 18.11.2015.

The only argument of the petitioner is that *Naksha Alaf* was prepared inappropriately but the stage for raising such objection has already been over because, thereafter, even *Naksha Bey* has been accepted on the basis of mode of partition and, therefore, the Courts below have rightly dismissed the prayer of the petitioner.

In view thereof, I do not find any merit in the present petition and hence, the same is hereby dismissed, though without any order as to costs.

September 28, 2017
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(Rakesh Kumar Jain)
Judge

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