

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

CWP No.16319 of 2015
Date of decision : 14.03.2017

Balbir Kaur

...Petitioner

Versus

Financial Commissioner, Revenue Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL.

Present: Mr. Ish Puneet Singh, Advocate for the petitioner.

Mr. Yatinder Sharma, Addl. A.G. Punjab.

Mr. Malkeet Singh, Advocate for respondent No.4.

AMIT RAWAL, J. (Oral)

Prayer in the present writ petition is for quashing of the impugned order dated 31.03.2015 (Annexure P-2) passed by the respondent No.1 in limine without considering the facts and without examining the complete record as the petitioner along with proforma respondents are contesting the case since 2005 for partition of the land.

Grievance of the petitioner in the present writ petition is that revision petition at the instance of private respondent(s) has been allowed at the back of the petitioner which fact is evident from Annexure P-2 the presence sheet. This fact has not been disputed by the State Counsel, much less, counsel for the respondent(s).

In view of the aforementioned fact, I deem it appropriate to set

aside the impugned order dated 31.03.2015 (Annexure P-2).

Accordingly, impugned order dated 31.03.2015 (Annexure P-2) is set aside.

Matter is remitted back to Financial Commissioner Revenue, Punjab who shall decide ROR No.99 of 2015, which is ordered to be restored to its original number, after affording opportunities to the petitioner in accordance with law preferably within a period of three months from the date of receipt of certified copy of the order.

Parties through their counsel are directed to appear before Financial Commissioner Revenue Punjab on 07.04.2017.

With the aforementioned observation, present writ petition stands disposed of.

14.03.2017

pawan

**(AMIT RAWAL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No