

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CWP No.19941 of 2017

Date of Decision: November 27, 2017

Om Parkash

. . . . Petitioner

Vs.

State of Haryana and others

. . . . Respondents

CORAM: - HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present: Mr.Jai Singh Yadav, Advocate,
for the petitioner.

RAKESH KUMAR JAIN, J. (ORAL)

This petition is filed against the order dated 22.3.2017 and sanad taksim dated 8.2.2013. The revision petition filed by the petitioner before the Commissioner, Gurugram Division, Gurugram was allowed on 14.7.2016 against which the contesting respondent Subhash filed the revision petition before the Financial Commission, who has allowed the same vide impugned order dated 22.3.2017 on the ground that after the sanad taksim is prepared, the lower revenue courts ceased to have jurisdiction to hear the matter and therefore, the order passed by the Commissioner, Gurugram Division, Gurugram is without jurisdiction.

Learned counsel for the petitioner has submitted that if the order of the Commissioner, Gurugram Division, Gurugram is without jurisdiction then he would file a revision petition before the Financial Commissioner, who has the jurisdiction to decide the issue regarding preparation of sanad taksim.

I have heard learned counsel for the petitioner and after examining the record, am of the considered opinion that there is no merit in the present petition. However, the petitioner would definitely have the right to challenge the order of the Collector before the Financial Commissioner by way of revision instead the order passed by the Commissioner, Gurugram Division, Gurugram which has been held to be without jurisdiction.

In view therefore, the present petition is hereby dismissed.

NOVEMBER 27, 2017

Vivek

(RAKESH KUMAR JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No